

<b>EASTERN INTERIOR ALASKA</b>
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**SUBSISTENCE REGIONAL ADVISORY COUNCIL**

**VOLUME II**

**PUBLIC MEETING**

March 6th, 1995

Native Village Hall

8:30 o'clock a.m.

Fort Yukon, Alaska

**COUNCIL MEMBERS PRESENT:**

**STEVEN GINNIS, VICE CHAIRMAN**

**JEFF ROACH, MEMBER**

**CHARLIE TITUS, JR., MEMBER**

**JOHN A. STARR, MEMBER**

**RANDY MAYO, MEMBER**

**TIMOTHY SAM, SR., MEMBER**

**CHARLES MILLER, SR., SECRETARY**

**Vince Mathews, Coordinator**

**P R O C E E D I N G S**

(On record; 8:30 a.m.)

MR. GINNIS: Okay. I'll call the meeting back to order. We're going to continue our public testimony on the changes on the proposals. We're on Proposal No. 61.

MR. MATHEWS: Okay. Mr. Chairman, Proposal 61 starts on page 27 in your booklet. It deals with Unit 12 moose and they request lengthening the season from September 1 through September 15th to August 20th to September 15th. So it's asking for an earlier start. The public comments we have is from Alaska Department of Fish and Game. They oppose this proposal. "The moose population on accessible federal lands is very low, .2 moose per square mile. These moose are most susceptible to

harvest during August because many are disturbed close to the lakeshore and riverine systems. The moose population in this area cannot sustain the expected increase in harvest and the bull/cow ratio will probably decline the management objective within two years. This prediction is based on results from a similar situation in two adjacent areas. The small amount of federal lands in the remainder of Unit 12 is far removed from Tetlin, so the requested season change would probably not provide additional hunting opportunity for that community. Furthermore, residents of Tetlin, Tok, Tanacross, Mentasta Lake, Dot Lake, Healy Lake hunt primarily on their own lands or on state lands."

Joe Sonneman of Juneau says the proposal sounds pretty reasonable to him. Upper Tanana/Fortymile Fish and Game Advisory Committee supports the proposal. That's what we have for public comment at this time. Conrad and George will discuss the biological and social part, so ....

MR. GINNIS: Okay. Go ahead, Conrad.

MR. GUENTHER: Mr. Chair, I'm only going to say a few things about this proposal, and we're recommending a modification to this proposal. First of all, the moose population is a relative low-density moose population in that area. Probably the thing that we ran into that caused us the most complication, if you'll look at the map that's passed around, it's this map here that shows Unit 12. The area that we're talking about within this proposal is the cross-hatched area down around Nebesna and south. Only the northern part of that has moose. The southern part of that is high mountain areas; it's out of moose habitat, so very little percentage of that actually is good moose habitat.

The area descriptions get really confusing here. The areas, as defined in the Federal Regs are different -- for moose are different than the areas defined under state regulations for moose. In the Federal Regulations, we've got three areas. One area includes just the refuge and this little triangle of land north of this winter trail on the map within the Park. And so we've got the refuge and a little bit of Park land. The second

area, as we define it for moose, is everything east of the Nebesna River and south of the winter trail, so it's all within Park and Preserve. And then the remainder, since there's no federal land at all in the northwestern portion of Unit 12, the remainder is only that cross-hatched area down within the Park and Preserve.

Now, the request was to open up an August season. The state already has an August 20th opening throughout Unit 12 for moose. What our recommendation is - and, again, I can give you lots of information on this, I have a lot of information I've accumulated on it - but, basically, what it boils down to is the state has an August 20th through 28th opening for moose with a spiked-fork regulation. The federal government did not pick up that regulation and, currently, under subsistence regulations -- Vince, can you -- oh, great. Excuse me a second. The sun is great, but it's hard to read with it shining in your eyes. Under the current federal regulations, a subsistence user cannot hunt moose during August. Under state regulations, they could. So, just to simplify things, there's no reason at all that we can't change federal regulations for all of Unit 12, not just the remainder as suggested in the proposal. But our recommendation is to modify the proposal to open up an August 20th season, August 20th and we had proposed through -- the season would run straight through the current season, so it would run August 20th through September 15th with the August part being spike-fork only because of the low-density moose population. This would make state and federal regulations similar. We would not be opposed to the August 20th through 28th which is exactly comparable to the state and then a reopening again September 1 through September 15th.

One additional thing -- recommendation for modification on this is that the area that we're talking about on here, this cross-hatched area, by description, uses the Nebesna River as a boundary. The one problem that we found on this is that the Nebesna River does not run clear to the unit boundary and so we've got a gap between the start of the Nebesna River at the Nebesna Glacier and the unit boundary. So, actually, we do not have a closed polygon here. So an additional modification would be to modify the area description that defines this to include

the Nebesna Glacier, so it would be the Nebesna River and the Nebesna Glacier. And the modification is written up as part of the conclusion and justification on this. I'll read it if you'd like, otherwise you can look at it.

MR. GINNIS: Thank you, Conrad.

MR. GUENTHER: That's all I have.

MR. GINNIS: Go ahead.

MR. ROACH: Yes, I'd like to make a motion that we support Proposal 61 with modifications. Those modifications would be proposed regulation Unit 12 remainder, moose September 1 to September 15th as it stands; the inclusion of an August 20th to 28th one bull with spiked-fork in all of Unit 12; inclusion of the words "east of the Nebesna Glacier to form a contiguous boundary of the southeast portion of Unit 12."

MR. GINNIS: Okay. It's been moved. Is there a second to the motion?

MR. MILLER: Second.

MR. GINNIS: Seconded by Charles. Is there any discussion?

MR. ROACH: Mr. Chairman?

MR. GINNIS: Yes.

MR. ROACH: I'll just say why I made these suggestions. As Conrad mentioned, the August 20th to 28th season for spiked-fork in all of Unit 12 would be -- would make it easier for subsistence users to comply with both federal and state regulations. We've found in the past that the tendency is to go out for a season and if it's biologically sound and if it's to the benefit of the subsistence user to match the state season to make it easier so they don't -- subsistence users don't run into trouble as to what lands they're on. Because of the low moose population in the area, I agree with the spiked-fork season for

that area and the wording would better define that southeast portion of Wrangell-St. Elias National Park and Preserve and portion of Tetlin Wildlife Refuge. I would like the federal subsistence staff to cooperate with the Alaska Department of Fish and Game to form more uniform boundaries for Unit 12 and bring those back to us.

MR. GINNIS: Okay. Thank you. Go ahead, Charlie.

MR. TITUS: I was just wondering, how -- I notice that -- I note that it's opposed by Tetlin Village Council and, I don't know the area that well. How does Tetlin benefit? They go all the way down there by car?

MR. GUENTHER: Mr. Chair, when we first got this proposal in, we had this same question and we contacted Tetlin Village Council and there were two things that played a factor in it. First of all, they hadn't realized that there had -- a couple of years ago, there had been some parcels of federal public land up around their village. They were BLM parcels. They were selected and they're no longer under federal public land jurisdiction. Also, when we brought up the point that there was no federal land up in their area that they could utilize, they said that they actually did have some people that went and hunted down here. And, correct me if I'm wrong, Craig, but, apparently, there's a family living down off the Nebesna Road down here that's related to the Tetlin Village. But our recommendation for a modification would affect all of Unit 12 so that that would make state and federal regulations uniform, not just this area.

MR. GINNIS: Okay. Vince?

MR. MATHEWS: Mr. Chairman, I may have misunderstood. Jeff, your motion was August 20th through August 31st, correct?

MR. ROACH: August 20th through August 28th.

MR. GINNIS: The 28th.

MR. MATHEWS: The 28th? Okay.

MR. ROACH: With one bull with spiked-fork antlers.

MR. MATHEWS: All right.

MR. GINNIS: Okay. Is there any further discussion? If not, then all in favor of the motion signify by saying aye.

ALL MEMBERS: Aye.

MR. GINNIS: Those opposed? Okay. The motion carries. We'll go on to Proposal 62.

MR. MATHEWS: Okay. Proposal 62 is on page 31 of your book. It deals with Unit 25(A), it has to do with moose, and it's from -- no, I'm sorry, we're talking 62, correct?

MR. GINNIS: Yeah, 62.

MR. MATHEWS: All right. Sixty-two is Unit 20 Minto Flats Management Area. It was submitted by Bureau of Land Management. It deals with moose. It would eliminate the Minto Flats Management Area of Unit 20(B) and abolish that area as federal subsistence moose season. Public comments: We have two, one is from the Alaska Department of Fish and Game, they support the proposal; the other one which is not in your summary of comments but it came in late, was from the Minto-Nenana Local Fish and Game Advisory Committee. They oppose it. Their reasoning was that Native residents are going through the Native allotment system and there will be more applying for allotments in the future. That's all the public comments that I know of at this time.

MR. GINNIS: Go ahead.

MR. GUENTHER: Mr. Chair, just a few things about this. First, as far as the moose population is concerned, the moose population is growing in this area. The state, in their survey and inventory management report suggested that the moose population has increased to the point where a general season may be appropriate for Minto Flats. Currently, the Minto Flats area

is under a Tier II permit system. As far as the federal end of it, in the past, in 1990, there were a number of parcels of selected lands that were under BIA jurisdiction and were eligible under federal public land status. Most of those parcels averaged about 40 acres. Now they've all been title -- the title has been conveyed except for one parcel. That parcel is about 18 acres. It's a less than 20-acre parcel. So, actually, the only federal public lands currently within the Minto Flats Management Area is one parcel less than 20 acres.

When you look at moose density for that area, we're talking about one moose has a range of about, or an area of about 340 acres, and so we're talking about a really small parcel. Also, during the last two years, no one has applied for a federal permit to harvest moose in that area. These areas were all open under federal permit and there hasn't been any interest in applying. And that's really the reason that BLM had put in this proposal. They have to continue to produce permits at this point and it's just an additional cost and burden to have those there if no one is interested. That's all I have, Mr. Chair.

MR. TITUS: Mr. Chairman?

MR. GINNIS: Go ahead, Charlie.

MR. TITUS: Move to oppose.

MR. GINNIS: Move to ....

MR. ROACH: I'll second.

MR. GINNIS: It's been seconded. Is there further discussion on the motion?

MR. SAM: I want to clarify, I guess, that of all proposals where game are increased, the Fish and Game says would open that area for hunting, for instance, this No. 62. In Native culture and traditional way of life and lifestyle of the wildlife out there, our culture is saying whether we need the moose, caribou, whatever there is in the field, that we are

being told not to take, let it go. In minds of Fish and Wildlife or Fish and Game, you know, if the moose or caribou is being counted, they say, okay, it's open to the public to be hunted. That's not the way it goes in our cultures. Fish and Game, Fish and Wildlife have to realize the -- our traditional way of life. They have to respect our cultures as well as the life of animal out there. This has been carried on in the Native way of life for thousands of years. Fish and Wildlife, Fish and Game, misinterpret. These our way of life. Throughout the Lower 48, that's why all the buffalo been taken, all the deer been take. Misuse the land. I wouldn't say it's early age for Alaska, but don't you think it's about time we stand up for our ability of our rights? Don't you think it's about time we say time out. You understand me, I understand you. Fairbanks people they go Safeway and buy their steaks. We -- when I say we, Native people, have to hunt down moose, caribou if it's available out there. We have to -- on top of that, we have to understand for our future kids. It's not what's there just be shot up or be taken. We have to look at the future for our kids. I just wanted to bring this up.

MR. GINNIS: Thank you. All right. Is there any more discussion on Proposal 62? Go ahead.

MR. MILLER: Yes. When you're talking about the areas this affects, you're saying this here only affects the one Native allotment that's 20 acres?

MR. GUENTHER: Yes.

MR. MILLER: That's the only thing that -- which is -- I know basically where we're from, a Native allotment is considered private anyway, so unless I'm going to give permission to hunt on there, you can't hunt anyway.

MR. GUENTHER: Yeah. This -- excuse me. Mr. Chair, actually, these are not Native allotments. These were selected -- let's -- I'll have to look at my notes here. These actually weren't Native allotments; they were selected under -- let's see if I have it written here. I can't pick it up right here now, but this was -- these were some special selections



that were under BIA jurisdiction. They were not regular Native allotments that would be excluded from the Federal Subsistence Program. These particular areas just within the Minto Flats area were under BIA jurisdiction and were considered federal public lands at the time. It's a little different than allotments.

MR. TITUS: These were the hot springs, right?

MR. GUENTHER: Pardon?

MR. TITUS: Are you speaking of the hot springs BIA has?

MR. GUENTHER: I can't remember the terms that were used on them. Can you help me, Vince, or ....

MR. MATHEWS: Well, ....

MR. GUENTHER: .... Sue, exactly how this was set up?

MR. MATHEWS: I see differently that they were Native allotments that have not been certified, but I -- the acreage throws me off because it doesn't match.

MR. TITUS: Don't you think that I should have the opportunity to harvest on my 20 acres? Do you give me that choice?

MR. ROACH: Mr. Chair?

MR. GINNIS: He's asking a question.

MR. GUENTHER: Mr. Chair, the way that this is set up is ....

MR. TITUS: I have 160 acres out there.

MR. GUENTHER: Right. You do have the opportunity to harvest under those. The reason that this was brought up is because this -- the only area within the Minto Flats is this one small parcel of less than 20 acres and there has been no

interest in a federal permit to use federal regulations on that for the last two years.

MR. TITUS: Have you considered the fact it might be confusing?

MR. GUENTHER: That's a possibility.

MR. TITUS: Well, Mr. Chair, I'm already on record to oppose this proposal.

MR. GINNIS: Okay. Go ahead, Jeff.

MR. ROACH: Well, I was just going to hopefully clarify something that Charlie said in that -- or Charlie asked, in that once this one, if it does get certified or if it goes back to the federal government, it will be looked at differently. It will either be looked at as federal lands or it will be looked at as private lands and then it will be managed differently. It just doesn't make any sense to have a registration permit harvest for this small area of land out there.

MR. TITUS: Perhaps in your eyes.

MR. ROACH: Well, I agree with you, Charlie. We're opposing it together.

MR. GINNIS: Who came up with that silly regulation anyway?

MR. GUENTHER: That was ....

MR. GINNIS: Is that a state Tier II, Conrad, you're talking about?

MR. GUENTHER: Mr. Chair, currently, the whole area of Minto Flats, the Minto Flats Management, is under a state Tier II permit because at one point the moose population was low enough so they felt it couldn't be open to a general hunt. So they put a state Tier II permit into effect. Then, when Fish and Wildlife Service, when the federal government became

involved in subsistence a number of years ago, the selected parcels in there fell under federal jurisdiction. And so federal regulations were set up so that they allowed a harvest of moose off of those parcels under a federal permit. Those parcels now -- title has been conveyed on all of the parcels except the one area. It's just -- the reason that this was submitted by BLM for it to be taken off, as I mentioned before, is just because there hasn't been an interest in applying for permits in the last two years and it was felt that 20 acres was just not enough land to be of real interest for anybody that was going out moose hunting. They would be hunting under a Tier II permit so they could extend their hunting area beyond that. Again, it really doesn't make a great deal of difference whether it's on or off; it's just an additional complexity that's added to the regulations to have a season if there is no interest in it. If there is interest in using it and there's a misunderstanding, then it probably should be there and we should clarify the misunderstanding so that people can utilize that if they have that desire.

MR. ROACH: Mr. Chair?

MR. GINNIS: Okay.

MR. ROACH: Is it possible to eliminate the permit harvest and still allow federal subsistence harvest on that area?

MR. GUENTHER: Are you talking about the Tier II permit or ....

MR. ROACH: No, the registration permit required by the Federal Subsistence Board.

MR. GUENTHER: I suppose that would be a possibility. The one thing that was brought up at an earlier meeting of this council was that these lands are looked at as private lands even though title hadn't been served on them yet. What -- and, again, I'm just speculating. What this might do is it may open it up to other people that would be interested in going in there and hunting, that would just go in there and would be going on,

even though the lands haven't been conveyed, on somebody's land that they see as private lands. That's speculation on my part. I'm not sure I answered your question and I guess I can't for sure at this time. I didn't analyze it from the standpoint of dropping a federal permit and continuing to have a hunt.

Now, I would suggest that from what the state's recommendation was in their survey and inventory report that within the next couple of years, you'll see this opened up to a general hunt anyway so that anybody could come in here and hunt. And I guess based on that, my speculation might be that you may be correct; that they may be able to drop the federal registration permit and continue to have a hunt in there. But I wouldn't want to say for sure until I really analyze this situation.

MR. GINNIS: Okay. Is there any other questions on Proposal 62? Okay. The motion is to oppose Proposal 62. All in favor of the motion, signify by saying aye.

ALL MEMBERS: Aye.

MR. GINNIS: Those opposed? Okay. The motion carries. Go ahead.

MR. ROACH: Mr. Chair, I would like to make a motion that this council recommends eliminating the federal subsistence registration permit harvest for Unit 20(B), Minto Flats Management Area.

MR. GINNIS: Okay. It's been moved. Is there a second?

MR. STARR: I'll second that.

MR. GINNIS: Seconded by John. Is there any discussion on the motion? We're eliminating ....

MR. ROACH: Just getting rid of the registration permit.

MR. GINNIS: Oh, I see.

MR. TITUS: Mr. Chairman?

MR. GINNIS: Yes, go ahead.

MR. TITUS: If I'm right, Minto-Nenana Advisory Committee opposes this, right?

MR. MATHEWS: My understanding is that they oppose -- the state is thinking about getting rid of the Tier II hunt in the Minto Flats area and I'd have to look real quickly to see if there's a proposal from Minto-Nenana to expand the number of permits, but I don't have their minutes with me. I just remember reading it over.

MR. GINNIS: Go ahead, Jeff.

MR. ROACH: Yes. It's my understanding that the reason that they opposed it was because they didn't want to eliminate the Minto Flats Management Area which my motion would not do; it would just eliminate the registration permit requirement. Nobody is going in and getting registration permits. We still allow for a federal subsistence season, but you don't have to get a permit for it. I'm sure that if there's a problem with this, we'll be told about it, but I don't -- at this point, I don't foresee what the problem is.

MR. GINNIS: I'll ask -- can I ask a question on this permit or the registration that the motion is intended to eliminate? Isn't that idea behind that registration is to safeguard the subsistence users in that area? Wasn't that the intent of the registration or whatever -- yeah, the registration?

MR. GUENTHER: Mr. Chair, I think you're right, but I'd really have to go back and look at the history on it. It's been a long time since that went into effect, but I think it was -- if I remember correctly, when that first was discussed and that decision was made to have a federal registration permit, it was because there was a Tier II permit hunt in the area that we wouldn't jeopardize a subsistence user from -- to excessive scrutiny for being in there without a Tier II permit without some other sort of permit to be hunting in there, and so the

federal registration permit was put into place.

The other purpose for it may have been that because the moose population was low, they wanted to be able to keep a good idea on what the total harvest was occurring in the area. But I really can't say for certain. I would suggest that one or both of those factors were a part of that, and I think you may be right, but I'm not certain.

MR. GINNIS: So, essentially, if we pass this motion we're eliminating that safeguard -- basically, eliminating the safeguard of those users in that area?

MR. GUENTHER: But, Mr. Chair, Craig and I were just talking about this and, actually, as long as the subsistence user was hunting on that 20-acre parcel of federal land and not hunting off of that, whether they had a permit or not, they would be legal. So, I'm not sure how valuable that safeguard really is. Maybe if somebody else has some additional thought on that.

MR. GINNIS: Go ahead, Jeff.

MR. ROACH: My thought is that what we're asking people to do is get two permits to hunt in that area. If we eliminate the registration permit which, for the past two years, nobody has applied for, we eliminate a process that really has no effect, but we still allow subsistence users to harvest in the area. The registration permit does not keep anyone from going in there -- any federal subsistence user from going in there and harvesting. I mean it's the same way whether you have the registration permit or you don't have the registration permit. And, as the staff has brought out in their draft analysis, the expected harvest on those lands is -- what's the wording, Conrad? It's very little harvest.

MR. GUENTHER: Yeah.

MR. ROACH: Extremely small.

MR. GUENTHER: Right.

MR. ROACH: So, in essence, it's not providing any safeguard.

MR. TITUS: Mr. Chairman, who seconded the motion?

MR. MATHEWS: John Starr seconded the motion.

MR. GINNIS: John Starr did.

MR. TITUS: Mr. Chair, for the record, I don't want to go against Nenana-Minto Advisory Council. I don't want to contradict their actions.

MR. MATHEWS: Well, their actions were dealing with the state issue, that they want to continue with the Tier II hunt. That's separate of this issue. It may indicate that they want the safeguards of a Tier II. That's the only reason why I shared that with you. But it's a separate issue.

MR. GINNIS: But that Tier II registration that we're talking about only applies -- does it apply to the whole management area or just apply to this 20 acres we're talking about?

MR. GUENTHER: No, the whole -- the Tier ....

MR. GINNIS: The whole ....

MR. GUENTHER: Yes.

MR. GINNIS: And so, in essence, then, if we pass this motion, we're just going to eliminate the whole ....

MR. ROACH: No.

MR. GUENTHER: Unh-unh (negative).

MR. MATHEWS: No.

MR. ROACH: Mr. Chair, you're getting confused the Tier

II permit and the registration permit. The Tier II permit is going to stay. The Tier II permit is for all the area. The registration permit only applies to this little 20 acres.

MR. GINNIS: That little 20 acres.

MR. ROACH: The registration permit that we're talking about getting rid of only applies to this little, small area.

MR. STARR: Mr. Chairman, the reason I -- when you said who seconded it, I seconded because I know what the Nenana-Minto Advisory Committee, they're opposed to that. I'm opposed to it, too.

MR. TITUS: Conrad, as I remember right, I remember when this came up when they were issuing this, why they applied for it was because the Minto residents didn't have the Tier II permits in that area. It was very low, so we applied for it through BLM. There was no one in Minto Flats that had the permit. Maybe one or two parties, if I remember right. So it was like an emergency that we did that, I remember.

MR. ROACH: Excuse me.

MR. GINNIS: Wait, Jeff. He's got a question open.

MR. TITUS: And I'd like to keep that way.

MR. STARR: Oh, you want to keep it in there?

MR. GINNIS: Go ahead, Clarence. Did you have a ....

MR. ALEXANDER: I guess I can speak from here. I don't need no microphone.

MR. GINNIS: That's fine. You speak loud enough.

MR. ALEXANDER: We have Tier II. I mean, that's down here at Beaver, Stevens Village, and Birch Creek. The reason that was -- for a minute there I got confused because I didn't realize there is a federal register permit and there's also a



state Tier II. You got me confused there for a minute. But, anyway, here it was established because there was an emergency status on the moose population in our area down here and the only people that we wanted to hunt in those areas -- it was open to statewide, but they had to show their domicile was within Tier II.

MR. GINNIS: Go ahead, Jeff.

MR. ROACH: Yeah, I think there's still a bit of confusion. The Tier II hunt harvest is for the state regulations and we're not going to change that at all. The federal registration permit that I want to eliminate -- that I made a motion to eliminate is for this small area. It's issued by the federal government. By eliminating the registration permit, we're not eliminating any rural resident's ability to subsistence harvest. We're making it easier; they don't have to go get a permit. To my understanding, when Minto-Manley Advisory Committee opposed 62, they were opposing the elimination of a federal subsistence hunt. This proposal that I had does not do that. It makes it easier to harvest in that area. It only eliminates the registration permit, is all it does. It makes it easier for the local residents to harvest there without having to go get a second permit, because they're still going to have to get a state Tier II permit to harvest on surrounding lands. This way it just makes it so they only have to go get one permit.

MR. GINNIS: Okay. Is there any further discussion on the motion? So, the motion is to eliminate this, what is it now, federal ....

MR. ROACH: Registration permit.

MR. GINNIS: .... registration permit. That's the motion. Go ahead, Chuck.

MR. MILLER: I was just wondering, is that 20 acres, is that private land? I mean I know it hasn't been conveyed, but is it -- I'm still trying to figure out, is this a Native allotment we're talking about or what is it exactly we're

talking about here?

MR. MATHEWS: My understanding, it is a Native allotment. The ....

MR. MILLER: Okay. In that case, then, ....

MR. MATHEWS: But it's not been conveyed, so if it hasn't been conveyed, it's considered federal public lands.

MR. MILLER: Okay.

MR. MATHEWS: So it falls underneath this program.

MR. MILLER: Okay. In that case, then, if we do eliminate this, won't that be promoting trespass on this Native allotment?

MR. ROACH: No.

MR. MATHEWS: No.

MR. MILLER: Because they wouldn't ....

MR. TITUS: But then it -- you eliminate the residents, the owner from hunting on his own ....

MR. MATHEWS: No, no, no. It's ....

MR. ROACH: No. It doesn't. It doesn't.

MR. MATHEWS: No.

MR. ROACH: It doesn't at all. It only eliminates their ....

MR. MATHEWS: Need for two permits.

MR. ROACH: .... need for two permits because anybody can still go get a permit, even the non-owner. The owner can and the non-owner can get a permit. This just eliminates the need for the permit. And we have Ruth Gronquist with BLM here.

Maybe she can help address what these lands are.

MS. GRONQUIST: I am Ruth Gronquist. I'm with BLM; I'm a wildlife biologist. And we have realty people who deal with this stuff and, I'm sorry, Jeff, I don't understand realty.

MR. ROACH: Well, that was a good try.

MR. GINNIS: Well, thank you for your time.

(General laughter.)

MR. GINNIS: Go ahead ....

MS. GRONQUIST: We can find out, though.

MR. KURTH: I might be able to clarify because I used to be manager of this program when this issue came up in the past. Charlie was right on, the reason why we have this regulation. Back a few years ago, there were a lot of allotments that hadn't been conveyed that were public lands and people from Minto weren't always successful in getting a Tier II permit. And so the notion was, hey, the Federal Subsistence Program can't be premised on getting a state permit so we have a person from that area didn't get a Tier II permit, the federal program would make sure that the local people could get a federal permit to hunt on their allotment, and that made a lot of sense.

Now, what's changed over the last few years is almost all of those allotments have been conveyed so they're no longer under the federal jurisdiction. And what you have, basically, is one spot. Well, that one person still may have a concern, the allotment owner. What happens if he doesn't get a Tier II permit. The real question to me is, does the council want to have basically a public season if you remove the registration permit? Anybody could, theoretically, who is a qualified resident hunt on that person's allotment. Or is there another way to do it? Can you just say we'll give that allotment owner a permit if he wants one? So -- but Charlie was right, the whole reason was to make sure that if a local person didn't get a Tier II permit, that they would be afforded a federal way to

hunt on their allotment. But there's only one 20-acre place that you're talking about.

MR. SAM: What I have to say is a little bit different. The rights of a Native allotment is this: My great, great grandfather was here before new settlers came. Without our knowledge or without we've been told, we've been sold. You know, just like a bar of candy in the store. And we have right to the land, the animal, but when it -- when Alaska was sold from Russia in 1776 or somewhere and then U.S. Constitution know that we're not familiar with came and picked here and now in order for me to do or exercise my traditional way of life, I have to go by book.

To my knowledge, the owner of -- that Native allotment owner have rights for hundreds of years and still will have rights to permit. You know, if we pass this Proposal 62, we will have violated his rights by the constitutional law.

MR. KURTH: I don't disagree. All I wanted to do was clarify some of the past history, Timothy.

MR. GINNIS: Okay. Charlie wants to have a 10-minute recess so he can talk this matter over with some of the staff here. So, we'll take a short 10-minute break. There's some coffee there, I believe.

MR. TITUS: Thank you, Mr. Chairman.

(Off record)

(On record)

MR. GINNIS: We're on the motion to eliminate this federal regulation for a permit. What's the action of the council? Charlie?

MR. ROACH: I think John has a ....

MR. STARR: I -- Mr. Chairman, I withdraw my -- I seconded it because ....

MR. GINNIS: You're asking for a withdrawal of the motion?

MR. ROACH: He withdrew his second, so that -- if nobody else seconds it, that kills the motion.

MR. GINNIS: Okay. Is there any further discussion, then? If not, then the motion is withdrawn. We'll move on then to Proposal ....

MR. MILLER: Sixty-three.

MR. GINNIS: .... 63.

MR. MATHEWS: Proposal 63 is on page 35. It deals with Unit 25(A) moose. It would expand the current customary and traditional use determination to include all residents of Unit 25. Mr. Chairman, I failed to remind you this morning of two things. Actually, three things. One, we should probably make an announcement that if public wants to testify that it's open to them. Second, we promised yesterday afternoon to introduce -- have another introduction because we had other people come in after that. And the third thing I think we'll do down the road is, I need direction on the letter to the Board of Game dealing with the Fortymile Caribou Herd. So, maybe at this moment, or after this proposal, have introductions and then make sure the public knows.

MR. GINNIS: Okay. Well, let's go ahead and do the introductions before we go on to Proposal 63. So we begin with you and we'll just work around.

MR. MATHEWS: Okay. I'm Vince Mathews with the Federal Subsistence Program, the regional coordinator for Eastern Interior.

MR. GUENTHER: I'm Conrad Guenther. I'm with the U.S. Fish and Wildlife Service and I'm subsistence biologist for Eastern and Western Interior.

MR. SHERROD: I'm George Sherrod. I'm with the Fish and Wildlife Service. I'm the anthropologist for the Eastern and Western Interior, and I'm headquartered in Fairbanks as opposed to Anchorage, as the rest of the group.

MR. GINNIS: We'll go back there and start with you.

MR. GARDNER: Craig Gardner, Alaska Department of Fish and Game. I'm the area biologist in Tok.

MS. DETWILER: I'm Sue Detwiler. I work with Vince down in Anchorage for Fish and Wildlife Service, and I work on interagency coordination with the federal agencies, with the board and the staff committee and also on policy analysis.

MR. TITUS: You've got a lot of work to do.

MR. GINNIS: That lady back there.

MR. SAM: Why not stand up and -- people stand up and give the presentation there. Stand ....

MS. GRONQUIST: Let's start over, then, so they all have to stand up. I'm Ruth Gronquist with the Bureau of Land Management. I'm a wildlife biologist out of Fairbanks for the Northern District. We've combined the three districts that you used to recognize as Arctic-Kobuk, and the Steese-White Mountains is the one that's Northern District.

MR. BURR: I'm John Burr. I work for Fish and Game. I'm the AYK area biologist for sport fish division out of Fairbanks.

MR. GINNIS: Go ahead, Pat.

MS. STANLEY: Good morning. My name is Pat Stanley. I work with the Council of Athabascan Tribal Governments as their executive director.

MR. ALEXANDER: My name is Clarence Alexander. I work for the Department of Fish and Game Subsistence Division. I'm a

technician. I do surveys in the villages.

MR. JAMES: I'm David James. I work with the Arctic, Kanuti and Yukon Flats National Wildlife Refuges.

MR. HEUER: Ted Heuer. I'm the refuge manager of the Yukon Flats Refuge.

MR. SCHULTZ: I'm Bob Schultz. I'm the assistant refuge manager of the Tetlin National Wildlife Refuge. I'm based in Tok.

MR. KURTH: My name is Jim Kurth. I'm the refuge manager of the Arctic National Wildlife Refuge.

MR. GREENWOOD: Bruce Greenwood from National Park Service in Anchorage. I work in the subsistence area and I'm actually stationed with Fish and Wildlife Service with most of the staff that's here today.

MR. TWITCHELL: I'm Hollis Twitchell. I work for Denali National Park as the subsistence coordinator, stationed at the Park.

MS. FIELDS: I'm Shirley Fields. I'm the reality officer here in Native Village. I handle Native allotments in Fort Yukon mainly.

MR. JAMES: Davie James, Mayor of Fort Yukon.

MR. FLITT: Wally Flitt, Natural Resource director and manager for Native Village of Fort Yukon. And at this time, I'd like to wish my chief, Steven Ginnis, a happy birthday.

(General laughter.)

MR. GINNIS: Thank you, Wally.

MR. STARR: Is there going to be a song?

MR. GINNIS: Okay. So, the board -- go ahead, we'll

start with you, Randy.

MR. MAYO: Randy Mayo, board member and First Chief, Stevens Village Council.

MR. SAM: Timothy Sam from Arctic Village. And I'd like to say I have -- in my life, I work for (indiscernible) as a lay person for over 40 years and I have been member of Fish and Game Board for over 20 years, and now this board member. There always will be needs in the field. The purpose, the reason I say this is I am planning to run for representative. I'm pretty sure that I am no bullshitter. I will fulfill the needs of people and work for people within our district. Remember me when you see my name and I'll need your "X." Thank you.

MR. MILLER: My name is Chuck Miller. I work as a child development specialist for the Village of Dot Lake and I'm also Second Chief for Dot Lake Native Village.

MR. STARR: I'm John Starr and I'm on the Yukon and Tanana and Manley Advisory Board. I'm also a member on this board.

MR. ROACH: My name is Jeff Roach. I'm from Tok.

MR. GINNIS: I'm Steve Ginnis. I'm currently the Chief of Fort Yukon. I'm employed by Tanana Chiefs and I'm involved in other things, but I'm also a candidate, but you guys are not the folks to talk to about this one.

(General laughter.)

MR. TITUS: I'm Charlie Titus from Minto. I'm also employed by Seth-De-Ya-Ah Corporation of Minto. I'd just like to say I'm going to miss Vince.

MR. GINNIS: Okay. With that, with those introductions, thank you.

MR. MATHEWS: Mr. Chairman, I need to give you a summary of public comments on Proposal 63. I don't know if Bob



Stephenson wants to speak on Proposal 63 as the area biologist.  
Is Bob here?

MR. GUENTHER: No.

MR. MATHEWS: Bob's not here. Okay. He went out?

MS. DETWILER: He was in the back the last time I saw him.

MR. MATHEWS: Okay. Because, anyway, he'll probably -- I'll give you what they wrote as their comment. Their final comment from the Alaska Department of Fish and Game is postponed. They haven't come up with a final position on Proposal 63, but their written comments concluded that, "Including all residents of Unit 25(D) would probably have little effect since river travel into Unit 25(A) is feasible only when water is exceptionally high on the Sheenjek, Coleen, and Hodzana Rivers. The Chandalar River is used for travel into Unit 25(A) by residents of Venetie, but low water often makes this difficult and residents of other villages do not make the long trip to hunt moose in Unit 25(A). Although winter access is more feasible, there is little use other than the residents of Venetie." That's all the comments I have other than I don't know if Timothy Sam was at the Yukon Flats Advisory Committee meeting and they may have taken up this proposal at their last meeting.

MR. GINNIS: Okay. Go ahead, George.

MR. SHERROD: Okay. This proposal was submitted by the Native Village of Fort Yukon. It requests extending the C&T determination for moose in Unit 25(A) from the villages of Arctic Village and Venetie to all the communities in 25(A) and 25(D). As with other C&T proposals, there are considerations of the eight factors here. I'll say that all of these communities currently had been recognized as having a customary and traditional use of moose. Unless this body wants me to go through these factors, I'm not inclined to do so. The question, then, is not if they use moose, but more where they use moose. The villages of Arctic Village and Venetie currently have a

customary and traditional determination for moose in 25(A) and there is quite a bit of data in the different harvest data bases that indicate that they should have the customary and traditional use of moose in 25(A). The communities of Birch Creek and Chalkyitsik do not in any of the harvest data indicate that they use 25(A) for moose harvesting. The communities of Beaver, Circle, Canyon Village, Fort Yukon, and Stevens Village, in reviewing the data base, either lightly move into that area and harvest or harvest on a fairly regular basis. Beaver and Stevens Village, in map data, show that part of their moose harvest area goes over the boundary of 25(D) into 25(A).

In the conclusion section, I drafted three options and, again, you know, this body is not constricted to only these three options, but these are three options I've drafted for your consideration. Option No. 1 would be to adopt the proposal with the modification that customary and traditional use determination for Unit 25(A) include Venetie, Circle, Canyon Village, Fort Yukon, Beaver, and Stevens Village. These are all communities that the data show that they have, at least at one point in time, harvested moose in this area. And the conclusion for not including Birch Creek and Chalkyitsik is that none of the data indicate that they've ever gone up there to hunt. Option 2 is a bit more restrictive. It would provide residents of Venetie, Circle, Canyon Village and Fort Yukon with a customary and traditional use of moose in the area and would exclude the four communities of Birch Creek, Chalkyitsik, Beaver, and Stevens Village. The logic behind excluding Stevens Village and Birch Creek under this option is that while they have demonstrated they have gone into the area, it doesn't appear to be part of their normal patterns, but, rather, it's on the periphery of their hunting area and probably doesn't occur regularly.

Option 3 would be to basically adopt the proposal as put forth by the Native Village of Fort Yukon. The logic behind including the communities that have not demonstrated, at least in the harvest data or other sources, use in that area and including those communities whose use area basically touch or just slightly go over the line is that as Gwich'in or related groups, individuals who would have the -- traditionally, would

have had the ability to have access to the hunting area of their relatives, that this was a common practice even though it may not have occurred widespread, and that that common practice should be recognized in the regulations. Questions?

MR. GINNIS: Okay. I'd like to speak on this particular proposal since it is coming from the Native Village of Fort Yukon. Now, the reason why I had asked that this proposal be brought forth here is simply because under the C&T findings, Fort Yukon was left out of this area and we have traditionally used that area. There's no doubt about that. So, that's the basis of why I asked that this proposal be drafted and I would recommend to this board here that they seriously consider the proposal as it is written. So, it was just a matter of including Fort Yukon so that we -- we do use that area, like I say, and it's just not reflected. Okay. With that, if there's -- is there any other discussion?

MR. ROACH: There's not a motion on the floor, Mr. Chair.

MR. TITUS: I move to approve.

MR. GINNIS: Okay. It's been moved to approve -- approval of Proposal 63. Is there a second?

MR. MILLER: Second.

MR. GINNIS: Seconded by Chuck. Is there any further discussion on the proposal?

MR. ROACH: I have a ....

MR. GINNIS: Yes?

MR. ROACH: .... question. Has Venetie responded to this since their use of 25(A) will be adversely affected.

MR. GINNIS: No, it won't. The way I -- this would cover all of 25 -- the way I understand it, it would involve the 25(D) and 25(A).

MR. SHERROD: It would grant residents of the community of 25(D) C&T in an area where currently only Arctic Village and Venetie have the customary and traditional use. That's not to say that other people aren't currently using it because, you are right, Fort Yukon shows up prevalently, so does Circle and a couple of the other communities. But it would, as Jeff has pointed out, it would expand the number of individuals eligible under federal subsistence regulations to harvest in an area that currently only two -- members of two villages have that ability.

MR. GINNIS: If you would allow me, David, can you come up here and speak to this proposal? Because -- well, anyway, go ahead.

MR. ROACH: While he's coming up, Mr. Chair, that is my concern with the proposal, is that right now the Village of Venetie would be adversely affected by additional users.

MR. GINNIS: Go ahead, David.

MR. JAMES: Mr. Chair, members of the council, I'm David James. In previous discussions I've had with Steve about this issue, the concern was exactly the way Steve stated it, was that primarily Fort Yukon seemed to be the most obvious community left out because, you know, Fort Yukon sits right on the Porcupine River and the Porcupine River is, you know, the upper part of it simply has been designated as 25(A). The boundary coming down close right -- I think probably right at the mouth of the Coleen River, for instance. And it just seemed like, you know, basically an oversight or just an artifact of left over C&T determinations that had been made in the past and I'm sure not a lot of thought had been put into it. And then the next thing discussed, when I was asked for my opinion, you know, about how to approach it, I said, well, you could try to narrow it down to just one community or very specific communities. For example, maybe Fort Yukon and Chalkyitsik and try to include them in that C&T. Again, the target area was the Upper Porcupine River. And I suppose you could try to narrow it down even farther and just designate the Upper Porcupine part of 25(A).

The other option was just to make it as broad as possible just in the interest of keeping things simple. You know, just talk in terms of having C&T for a whole unit, realizing that the likelihood that somebody from Fort Yukon is going to want to hunt moose up in the northwest portion of 25(A) is a fly-speck, you know, there's just not much chance it's going to happen. So, that -- you know, that would be the council's choice, I guess, to talk about how specific you would want to make it. And, of course, I'm not an expert in the C&T area, but, you know, that is the best I can recollect, you know, the essence of our discussions in the past on this subject. If you have any other questions, Steve, I'll try to be more specific.

MR. ROACH: If I could?

MR. GINNIS: Go ahead.

MR. ROACH: Have you had any contact with the residents of Venetie or Arctic Village concerning this proposal?

MR. JAMES: Not personally, no. Not me.

MR. MATHEWS: We've not received any communication from them and I'm pretty sure they're on the mailing list for all this, but, again, we've not heard from them.

MR. ROACH: Okay. So there's no one here that has received any comment from them within the Wildlife Refuge system?

MR. FLITT: Also at the State ....

MR. ROACH: Can you say your name, please?

MR. FLITT: My name is Wally Flitt. And the vice president of the State Fish and Game Advisory Committee meeting which they had here, Venetie didn't send their delegates down to the meeting. So we don't know what -- we don't know what they ....

MR. ROACH: So they did not send a delegate to the committee meeting and you don't know what their response is?

MR. FLITT: Right.

MR. ROACH: Okay. Any comment? Chuck?

MR. MILLER: Oh, no.

MR. ROACH: Vince?

MR. MATHEWS: Just to make it clear to everybody, if they did have a concern about it, they have recourse through requests for reconsideration. This is now an annual process to remind you of that of a C&T, that they could come back next year and try to be more restrictive on it. It's a little bit more difficult to go that way, but they do have the option of coming back with a request for reconsideration and say that they don't agree with the actions of the board, if the board, the Federal Subsistence Board adopts this proposal as you have moved.

MR. GINNIS: Now, I don't want to be speaking on behalf of the people of Venetie, but I think this area that we're talking about and the concern that he's expressing, it wouldn't have the adverse effect on the people in Venetie, I don't think, because of the area we're talking about here. We're talking about the upper part of the Coleen River. And now the people in Arctic Village might hunt in that area, you know, during the winter months, but as far as Venetie is concerned, I doubt very much if they even hunt up in that area. So, I don't think there is going to be any kind of adverse effect.

MR. ROACH: What -- have we heard from Arctic Village on this proposal, then?

MR. GINNIS: No.

MR. SAM: Mr. Chairman, I brought this proposal up before the -- not the chief, but members of the council a week and a half ago, but they could not make any decision on their

own behalf on account of the tribal chief or village chief have to make final decision on this proposal. So, it was indicated to me that they have no action on it.

MR. GINNIS: Go ahead.

MR. ROACH: Mr. Chair, I'm going to oppose the motion because of the lack of information for those villages that will be affected.

MR. GINNIS: Okay. So, is there any further discussion on Proposal 63? Go ahead, Davie.

MR. JAMES: You know, as I sat here this morning listening to you people, and I sat yesterday here and the C&T, you know, the culture and traditional use. I really don't know how you guys go about getting your statistics saying that our culture are not using -- of Fort Yukon, you know, we're the regional -- you know, we've been using that area for hundreds of years. And now, from what I hear is that you guys -- the feedback I'm getting is that you guys are saying we've never been using it as a culture and tradition area. This 25(A) that we've been using up there in the Upper Sheenjek or Coleen River, we've been using that, too. And I'd really like to see more of, you know -- before this regulation is really put down, I'd like to see more information, statistics, datas on how you guys went about saying that we're not a culture and tradition users.

MR. GINNIS: Well, that's what the proposal is intended to address, is to, how would you say it, designate or whatever, a C&T for that area for people from here. I mean, like you say, we've been using that Sheenjek/Coleen River area for moose hunting and Jeff is bringing up this issue of having an adverse effect on Arctic and Venetie and I just personally don't think there is going to be any adverse effect on them. What he seems to be concerned about is that the people from this community hunt up the Chandalar River, you know, and I'm -- I don't know if there's any statistics on it, but most people that I know of don't hunt up in that part of the world. The people from Venetie and Arctic Village utilize that area. You know, you don't see no Fort Yukon people going up, I don't think, hunting

up around the Chandalar River, up that area. So, this thing about having an adverse effect on these two communities, I don't think it's warranted, at least from my perspective, anyway.

MR. TITUS: Mr. Chairman?

MR. GINNIS: Yes.

MR. TITUS: Call for the question.

MR. GINNIS: Okay. The question was called for. I think I'll request a roll call vote on this proposal. The motion was to approve Proposal 63.

MR. MATHEWS: Okay. The motion is to adopt. Randy?

MR. MAYO: Yeah. I can understand this now, that -- you know, like I said yesterday, the conflict here is, you know, defined use areas hundreds of years old and these recently imposed game units is what's dividing us, you know. These communities here recognize each other's areas, you know, unlike the state and federal imposing their will on us. You know, if it's this community's historic and traditional area that predates these imposed units and subunits and so forth that, you know, I personally don't recognize. I recognize them as illegal acts imposed on us in our right to pursue an economic activity that you people claim is subsistence. So, you know, if it's their area, then, that's why they put this in for a reason and I go with it, you know.

MR. GINNIS: So what's your vote?

MR. MAYO: For -- to support this.

MR. GINNIS: Yes. That'd be a yes vote there.

MR. MATHEWS: Timothy Sam?

MR. SAM: Okay. This Proposal 63 should have an effect on Yukon Flats/Fort Yukon area because Arctic and Venetie does not use Sheenjek or Coleen River. We mainly hunt in Chandalar



River. You know, Venetie upriver and Arctic Village upriver.  
So, I ....

MR. ROACH: Is your vote yes to support it?

MR. SAM: Yes.

MR. MATHEWS: Charles Miller?

MR. MILLER: Yes.

MR. MATHEWS: John Starr?

MR. STARR: I'll vote yes on this if it's what Fort  
Yukon wants.

MR. MATHEWS: Jeff Roach?

MR. ROACH: Opposed.

MR. MATHEWS: Charlie Titus?

MR. TITUS: Vote yes.

MR. MATHEWS: Steven Ginnis?

MR. GINNIS: Yes.

MR. MATHEWS: Mr. Chairman, there was one in opposition  
and six for the motion to adopt. The motion to adopt passes.

(Mr. Ginnis away from council table.)

MR. ROACH: Thank you. On to Proposal 64.

MR. MATHEWS: Proposal 64 was submitted by Stevens  
Village Council. It is -- deals with Unit 25. It would  
establish the Dall River Management Area consisting of Dall  
River and Little Dall River watersheds within Unit 25(D) and  
close the area to fishing and hunting by non-rural residents.  
We do have a map of that also. It starts on page 36. We've had

quite a few public comments on it, so I'll try to be brief, but to maintain a good record -- for the public and staff that's present, there are blue-covered books. You'll see one next to -- in front of Jeff. That's a full listing of all the public comments, so if you want to read the individual letters to that, I encourage you to do that. Okay. Proposal 64, I don't know if Bob Stephenson wants to speak on the state or not. I can go ahead with the written comment on Proposal 64, the Dall River -- okay. I think if I get it wrong, he'll make sure that we get it right. Okay.

Alaska Department of Fish and Game opposes it. In 1988 and '89, the department conducted pike studies in the Dall River and determined that the stock was healthy, being subject only to light harvest pressure. Additional studies in '93 and '95 show that use of the Dall River was light and the level of pike harvest was well within the range of sustainable harvest. The latest survey found that local residents continue to use the Dall River during late May and early June, while 34% of non-local use was occurring. During 1995, the presence and activities of non-local visitors did not appear to have negatively influenced the types of activity or periods of use by local residents.

Dinyee Corporation of Stevens Village supports the proposal. "It was crafted by the people of Stevens Village to properly reflect their customary and traditional use of wildlife within their traditional area. This use should be grandfathered as it is a critical component of their spiritual and economic life." Greg Hoffman of Fairbanks opposes the proposal. "The proposal shows an extremist, elitist attitude that would exclude a majority of people from availing themselves of a resource that has been used for many years. It shows a lack of compromise. Extreme ideologies cannot, do not, and will not promote positive change." Robert Fox of Fairbanks also opposed the proposal. Let's see, "By closing the area to white hunters, you will only force them to concentrate in other areas, impacting other populations. Further, you may see a rebellion by hunters and open hostilities that may hurt and benefit no one. There is not a shred of evidence that there is a problem with animal populations. Just because a moose is not standing on the bank

for a subsistence hunter is not justification to exclude all other users."

Jay Hollanbeck of Fairbanks also opposes the proposal. "It is not a good thing to limit local residents; maybe for state residents only. The Dall River has plenty of fish; I can understand nobody likes traffic." Rick Schikora of Fairbanks opposes it. "There's no justification on which to base this proposal. There is no indication that urban residents are depleting the resource." John Huber, Jr. of Fairbanks also opposes the proposal. "What keeps the subsistence users from accessing the important subsistence areas nearest my community when resources are scarce?" Kevin Konichek of Fairbanks also opposes it. "You say it's over-fished, but I hardly think so as the limit is only five pike per day. I can only wonder if those that use gill nets have any effect on this." Joe Sonneman of Juneau appears to oppose it. "Exclusive preferences seem excessive. Instead, create a subsistence-only season which precedes the sport season." That's the summary of public comment. If people would like to read the individual letters, they're in the booklets throughout the room. Thank you.

MR. GINNIS: Go ahead.

MR. GUENTHER: Mr. Chair, there's just a few points that are really key in this whole discussion from a federal subsistence standpoint. If you look at the map that I passed out, the lower section of the Dall and Little Dall Rivers are not on federal public lands. In fact, I measured off a USGS topo map and approximately the first 50 to 60 river miles of both rivers are not on federal public lands, so you have to go way up into the headwaters to get onto federal public lands. So, the first issue is that there's not federal public lands on the lower river and at this time the federal government does not appear to have any jurisdiction over that -- those areas that are not federal public lands.

The other key point is that currently we do not have jurisdiction over fish in navigable waters. And so even though the pike issue has been discussed extensively here, the pike issue really is something that the board cannot take action on

at this time. And so we really have to focus on a couple of things that the board can take action on that are relative to this proposal. Let me back up just a little bit on the history of this proposal.

This proposal was submitted to the Federal Subsistence Board during the last cycle and the board's action on it in April of 1995 was that they wanted a formal opinion from the Solicitor's office on the legality of what actions they could take relative to this proposal or guidance from the Secretary's office. As of this time, they do not have a formal opinion from the Solicitor's office or any additional direction from the Secretary's office. And so at this time, we can only deal with issues that the Federal Subsistence Board can deal with. So, realistically, we are at this time only dealing with those lands that are 50 to 60 river miles upriver, so we're talking about the upper headwater drainages of the Dall and Little Dall River, are all that the Federal Board can actually take action on as far as we know right at this time.

This last summer, in the summer of '95, the Dall River Study was in effect and you've already heard the reports on that. The fishery information is interesting, but, again, it's not pertinent to what action the board can take. And so what information we did gather from this that is pertinent is relative to hunting activity that took place. We know that of the people that were interviewed, 25 individuals said hunting was at least part of their activity for being on the Dall River. We do know that there were five black bears reported taken on the Dall River based on that survey. There may have been more bears taken of people that were not interviewed, but of the individuals that were interviewed, we know five bears were taken. Four of those bears were taken by non-residents, non-qualified federal subsistence hunters; one of those bears was taken by a qualified federal subsistence hunter.

Again, I've already presented to you what information we have on black bears in the area. It appears that black bears on the Flats are in fairly large numbers. It would not appear that the harvest of five bears or even a few more bears than that off of the Dall River and Little Dall Rivers would be significant to

and have a negative impact on that population. Additional information relative to black bear hunting was that we only had one black bear hunter, one individual that took a black bear, that felt that they were 20 or more river miles up the Dall River. That's only halfway to federal land, if their estimate was correct. The rest of the hunters all took their black bears within the lower eight to 10 miles of the Dall River and so they were not hunting -- the four individuals definitely were not hunting on federal lands. The fifth individual may have gotten up to federal lands, but probably wasn't if his estimates were correct on river miles.

The other species that does get some hunting pressure on the Dall River are moose and, currently, the moose population is extremely low throughout 25(D) West and, as a result of that, several years ago the Federal Board said there is not enough moose on federal public lands to supply both subsistence and non-subsistence hunters, and at that time they closed all federal public lands to moose hunting except for the residents of the three villages within 25(D) West. And so at this time, sport hunters, non-subsistence hunters cannot take moose off of federal public lands in 25(D) West or any federal public lands within the Dall River Drainages. The remainder of the Dall River Drainage that's not federal lands is under Tier II permit. There's been very little activity under Tier II permits harvesting moose on the Dall River. It's such a low density area, there are much better areas to hunt, and so there just has not been very much action. And I can give you the specifics on it if you're interested, but it's very low. It's only been a few hunters in the last four or five years.

Basically, that's really what the issue evolves to. It's -- I realize that there are a lot of different ramifications and perspectives on how to look at this. But the key things to remember are you're dealing with federal public lands and federal public lands are on the very upper ends of the Dall River; they're not the lower ends. We can't, at this time, deal with fisheries on navigable waters and so even though the pike issue is a very controversial issue here, it's not something the board can specifically take action on. And so what we're looking at is, is the activity that's occurring on

the Dall River within federal public lands, the upper reaches of the river, impacting the ability of subsistence users, those individuals from Stevens Village or -- there are a couple of other villages that have gone up the Dall River that are eligible subsistence users. Is the activity that's occurring on that river impacting the ability of subsistence users to utilize federal public lands for subsistence activities? I have lots of data if you want data, but that's basically what it boils down to. If you have any questions, I'll be glad to answer them, otherwise that's all I have at this time.

MR. GINNIS: Okay. On this -- did I hear you correctly that at the mouth of this river, it's state?

MR. GUENTHER: Yes.

MR. GINNIS: And then how far up the river is it federal?

MR. GUENTHER: Before you get to federal lands, the colored line on your map shows the boundary of federal lands.

MR. GINNIS: Okay.

MR. GUENTHER: It's approximately 20 air miles or about 50 to 60 miles on the river.

MR. GINNIS: Okay. And the thing that I wanted to state here is that this is another example of where there's a real conflict between the state and the federal management. And the reason why I say this is that from the report that was given yesterday on the pike and the fact that it's an area for sport fishing, there's really a conflict. You know, my point of view is simply that we shouldn't be in the business of being in the commercial business. By that, I mean, you know, this idea of making money off the resource, you know, and so there's a real conflict here on the river. Somehow we need to address that. Otherwise, we're just -- the way I look at it, we're just going to -- it's just beating our head up against the wall. If we can get this thing totally managed by the feds, then maybe we can address some of these issues that have been brought here. But

the way it's set up now, it's just very difficult to do. But I just want to state that. I don't support this idea of sport activities on refuge lands. I don't think we're in that business to make money off the resources. It's here for the use of the users and not something to be set aside to make money off of. Go ahead, Randy.

MR. MAYO: You know, we had extensive discussion on this yesterday and before, you know, I mentioned I don't know how many times here, you know -- Timothy mentioned it earlier, you know, mentioning our traditional use areas. Hundreds and thousands and thousands of years older than these recently developed lines on which you people claim to have jurisdiction. You know, it was mentioned yesterday. We didn't participate in such detrimental acts, you know, as ANCSA. You know, back in the thirties, the elders petitioned to have our land put in federal trust, our traditional use area, not created by any outsider, but the area that sustains us that's recognized by neighboring villages. So then oil is discovered and we lose 80% of our land, squeezed onto a little piece, you know, with others' will imposed on us, our right to live, you know. Catering to the sport hunting and fishing industry, you know, that's a clear violation of all laws. What gives one sector the right to prohibit another one from pursuing their livelihood and to cater to one sector because they're providing money to the other one? You know, this is a human rights issue. It goes way beyond these little lines you claim to have jurisdiction over.

We live there. We know what's going on. You people can afford to come out here and sit here for a couple of days and then you go away for six months. We're out of sight and out of mind. You know, you people have the luxury of getting together and caucusing and coming up with your strategy so the agenda is set and stacked from the very beginning. You know, I would like to remind this board here the strong words of Chairman Titus at the Northway meeting that this board supported this resolution, this proposal to send a clear message to the people that are mandated to protect the resources. You know, so what are we supposed to do as this one-sided process keeps going on and this catering to this one sector? You know, our traditional economy and jobs is out there, making a living off of that land, you

know. Maybe this board should come up with some regulations as to when you city people can buy hamburger meat, how much you can buy, how much electricity you can use and when. Maybe we put it in this way you people can understand. Your narrow little sectionalized Western way of looking at the world doesn't allow your mind to expand and to become knowledgeable. This doesn't mean nothing to me, you know. There's no lines on our land. Your unwillingness to see our side is perpetuating this conflict that you call conflict.

So, I would ask this board to stick by its resolve as the last Northway meeting to send this -- you know, in the words of Chairman Titus, to send a clear message to the people mandated to protect the resources.

MR. TITUS: Mr. Chairman?

MR. GINNIS: Go ahead, Charlie.

MR. TITUS: With that, I move to approve.

MR. GINNIS: There's a motion to approve Proposal 64. Is there a second?

MR. MILLER: Second.

MR. GINNIS: Seconded by Chuck. Okay. Discussion? Go ahead.

MR. GUENTHER: Mr. Chair. Randy, I don't disagree with anything that you said. The point that I was trying to make is that under the current federal subsistence regulations and what the Federal Board can act on, the Federal Board is going to have a very difficult time taking any actions that is going to resolve the problem, the issue that you see here. The current regulations as we've got them aren't going to be of great benefit to you. Now, if the regulations are changed so that the federal government had authority over navigable waters and fisheries, that -- it could be a different story. But under the current regulations as they're set up, I don't think that the Federal Board can help you to a great extent in accomplishing



what you're trying to accomplish and reduce the outside pressure in the area. Even if the federal public land is closed to all outside activity, it's still not going to stop the people that are coming up there to fish and hunt on that lower river. And it's unfortunate that's the situation; I'm not -- and I hope that you don't feel that I'm in opposition to what you're trying to accomplish here. I'm just trying to point out the facts of what the Federal Board can't act on relative to this.

MR. MAYO: But this thing is still up in the area, you know.

MR. GUENTHER: I understand that.

MR. GINNIS: Right.

MR. MAYO: It's pending. You know, much like with the Arctic Village discussion we had yesterday. You know, the frustration of just being left hanging, you know, while our store is being robbed, you know. It's -- this can't go on, you know.

MR. GINNIS: Go ahead, Charlie.

MR. TITUS: I move to approve this just to see where it will go and also it reminds me so much about the Minto Flats. I remember back in the sixties and early seventies when we had the same problem. Nobody would listen to us. Our words were small. It still leaves a bitter bile in my mouth thinking about it because there were no winners. At that time, we said, okay, if we can't get what we want, then let's save the animals. Make a refuge out of the whole thing and make cooks out of all of us. So, I know where Lee Titus was coming from when he said support this. And still to this day, you can't (indiscernible) very few children.

I was telling Randy, in 1937 -- I did a lot of research and looking into land issues in Minto Flats. At one time, my grandfather and -- bless their soul, they're all deceased now, but they made a blanket claim over the Minto Flats. I forgot the acreage. It was so big. And in 1952, it was dwindled down.

They said, no, we'll give you -- we'll put you on reservation. We'll cut it 64 miles this way, 64 miles that way, and 64 miles this way. So they agreed; okay, we'll do this, we'll take this reservation. And then for some reason, in 1964 -- I mean, in 19-- -- before the oil was found, they said we'll even cut it down a little further. The last proposal was 1964, and to this date, the thing is just a dot on the map. Well, these kind of things have to be understood by our children and our neighbors. It's no fun living on your land and going by rules, regulations that you didn't ask for or wanted. So, I'm just stating my point of view, Mr. Chairman.

MR. GINNIS: Thank you.

MR. STARR: Mr. Chairman, can I bring something up on this?

MR. GINNIS: What's that?

MR. STARR: Can I make a comment on ....

MR. GINNIS: Go ahead.

MR. STARR: You know, this Stevens Village from Dall River -- you can see that Stevens Village is that every village on the Yukon River or in the Minto, all over, then villages they pick a spot for a certain reason. That's hundreds and hundreds years ago because the people that pick them spots, locations, because it was easier for them to get food, access to their hunting. That's the reason they picked them spots. All the villages in years -- years and years ago, they had Natives names. The only difference today is they got English names in them. But the location, the villages are still there and the people are still using that same area today they did hundreds and hundreds years ago because it's easier for them to get food and make their living from that area. That's the reason they were picked.

MR. GINNIS: Thank you. Go ahead, Timothy.

MR. SAM: Correct me if I misinterpret or don't quite

understand. I'm just -- is that through this meeting there have never been brought out the water rights bill. Okay? What I've been told is that, you know, there is water rights bill and, don't get me wrong, even the President of the United States make that mistake before he come to office. Anyway, you know, the federal law, like I said correct me, saying that if you land on the riverbank within that two feet, that's federal water right bill. The reason I brought this up is why this water right bill wasn't brought up in this meeting? And as long as this Proposal 64, I'm for it. I understand what people want, Stevens people want. And those people that oppose the Proposal 64 are the ones from Fairbanks and Anchorage that are, you know, get away from city just to sport fishing or whatever, but they don't realize that the area they're going is used for traditional use.

MR. GINNIS: Thank you. Ted? Oh, I wasn't trying to ignore you. Sorry.

MR. HEUER: Mr. Chairman, and council members, my name is Ted Heuer. This -- the Dall River issue is a very complicated and complex situation that we've all been grappling with for quite awhile now. I know that there's a lot of frustration on the part of Stevens Village. Their concerns, they feel like their views haven't been addressed. I can assure you that from the refuge standpoint, we've had our shares of frustrations over this issue. I'm sure Alaska Department of Fish and Game would say that they've had their share of frustrations. There's a lot of issues that complicate this Dall River situation. Some of them have already been discussed; the jurisdictional issue, who has authority for what. The land status issue. The map that Conrad passed out, from my standpoint as a land manager, is a gross over-simplification of what actually exists out there. Although from a subsistence standpoint, the federal lands don't start until you get 60 miles upstream. In that block that Conrad had on there, there's Native allotments, there's Doyon land, there's Village Corporation land, there's lands that have been selected by the village but not yet conveyed which continue to be managed as part of the refuge until such time that they are conveyed. If it were just all private lands, Stevens Village could go out there and they could post that area, they could keep the campers

off. They can't do that right now.

The issue is also complicated because it's a navigable stream and no matter what we decide, we're not going to be able to keep people from going up that stream in boats. I mean it's open to all people because it's a navigable stream. It's complicated because Stevens Village feels like the pike population has gone down. We have fisheries biologists that tell us that the pike population is healthy and can withstand the harvest that's taking place. It's complicated because we have two types of jurisdiction over the moose there. We have federal subsistence season and we have closed the federal lands to non-local users. On the other hand, we have a state Tier II system which has jurisdiction over the Village Corporation lands, Doyon lands, the private allotments. So you've got two different systems there that makes the issue more confusing.

The point is that there's no easy answer here. I wish we had the answer; we would have solved this problem already. The thing I would like to stress is that the refuge staff is willing, and I'll say dedicated, to working with the folks in Stevens Village and Doyon and the Department of Natural Resources and the Alaska Department of Fish and Game and whoever else it takes to see if we can reach some mutually agreeable solution to the problem here. The thing that concerns me right now is that if the council takes action on this proposal as it is, it -- basically what Conrad addressed earlier happens. It doesn't solve the problem that Stevens Village has and, in essence, you know, we kind of wash our hands of it. We say, okay, we've passed this, we'll send it up to a higher authority, the Federal Subsistence Board, let them make the decision at that level and we're kind of out of it. If the Federal Subsistence Board does create the Dall River Closed Area, under the best case scenario let's say for Stevens Village, then it comes back to me as a federal land manager. What I have to do is I have to go 60 miles up the Dall River, I stick a sign up that says "No hunting or fishing by non-local residents past this point." It still doesn't solve Stevens Village's problem. I mean we're back to square one.

So, I guess, it might sound like a bit of a cop-out to

suggest that we defer action on this proposal. We've deferred action on it in the past, but right now if the council took that approach, it keeps the pressure on us, the Fish and Wildlife Service, the Alaska Department of Fish and Game, Stevens Village to sit down and work out some compromise on this issue. And so my recommendation to the board is to do that, defer action on the proposal until some future date when we have some of these issues ironed out. David?

MR. GINNIS: I'd like to respond to your comments, if I could. I'm not really from this area, but I don't agree that we ought to defer the action on this thing. My understanding from Conrad's report here is that this is something that's in litigation, something that's been sent off to the Solicitor for his opinion. Now, my point of view is to keep the pressure on. That's the way I look at it. You know, it seems to me like when we defer something, there's no time limit, it's just open-ended, and who's to say that next year we're going to be sitting here talking about this same damn thing from deferring action. You know, we just did that in one of our proposals on a moose management plan for this area. There was no discussion from anybody on the staff, anyway, coming from the staff of any deadline to meet these objectives and these concerns. So, I don't really agree with these ideas of deferring action on something like this, particularly when it's being reviewed. Who's to say that it may very well be an opinion that it would be in favor of the people from Stevens Village? So, I guess I don't agree with your comment about deferring because there's no time lines involved. You can say that you can work out these differences and try to work them out, but there needs to be some time lines set if you're going to do those type of things and it's got to be a little concrete. Did you have ....

MR. JAMES: Thank you, Mr. Chair. David James. I only wanted to add one addition, brief addition to what Ted said, and in the event that the board does not take action or even if they do, like we said, we still feel that the problem is going to exist. I just want to say again that there is opportunity to continue to work together and, personally, I believe the problem can be solved in more than one way. The old saying is that there's more than one way to skin a cat. And if we continue to

focus and discuss what the concerns -- what the specific interests are, we can -- there are other alternative ways of dealing with things. There's a regulatory structure out there that we haven't really explored. So far, I think it's been approached as an "all or nothing." It's a win or lose situation; either/or. I think there's -- we can mutually work together, and let's at least try. Let's continue trying. That's where we're headed right now. We're just concerned that it's going to get sidetracked. That's all, you know. And whatever it takes to continue to work together to try to come up with the possibility of an alternate solution or an alternate way to deal with the problem, then we think it's worthwhile. That's all I had to say.

MR. GINNIS: Thank you for your comments. Sue, you want to come forward?

MS. DETWILER: With all due respect to Randy's comments, I would say also that the board is also frustrated when it has to deal with these complex competing jurisdictional issues. They don't like it any more than anybody else does. If you do go ahead with supporting this proposal, when the board deals with it in May, the guidance that it's going to have to work under is that Title 8 applies only to federal public lands. The only time it can extend its jurisdiction off public lands is if it can prove that there's a connection between those hunting and fishing activities that are occurring off public lands are adversely affecting subsistence uses on public lands. And so if you go ahead and support this proposal, if you can come up with a connection with how those activities in the Lower Dall River are affecting your subsistence on the Dall River up in the Yukon Flats, that will help your case. The board is going to ask that.

MR. GINNIS: Thank you. Go ahead, Jeff.

MR. ROACH: Mr. Chair, I supported our actions in relation to 25(D) West, in particular the regulatory actions and will continue to do so relating to the federal lands there. My concern, and probably the reason that I will oppose this, is that when we start bringing up proposals and supporting those

outside of our jurisdiction over the lands described, I think we're setting ourselves up for -- I don't want to say setting ourselves up for failure, but we're setting ourselves up for problems with dealing with the Federal Subsistence Board. Currently, we don't have biological data to support the need to restrict use in the area and since it's outside of our jurisdiction, because we have regulations on federal lands already, I just don't think we should support this to go before the Federal Subsistence Board at this time. Perhaps later when our land jurisdiction changes or there are some other more pertinent biological data to suggest restricting use, then I would support it.

MR. GINNIS: Go ahead, Tim.

MR. SAM: I support this Proposal 64, but I ask members of this board, as a whole, we represent over thousands of people. They expecting us to pass the proposal according to the community needs. And I just want to express this to the board that we're not repre- -- we're not here representing Timothy Sam. I'm representing five, six hundred people here. I'm voice of thousands of people. When I go back, I've got to report what being said here, what proposal have been changed. This is my job, as the members of this group. I am for this Proposal 64. I think that Stevens Village realize that there should be something should be done and they come to us as a body of this committee. They're asking us. Are we going to let them down? Are we going to listen to Fish and Game, Fish and Wildlife fancy high words and say -- go by their opinion? Or are we going to go by the opinion, the needs of the community? Thank you, Mr. Chairman.

MR. GINNIS: Thank you. Before we go further, I think Randy did a good job of summarizing of what we did last year on this proposal, but for the record I would like to ask Vince if he would just review it from off the record there.

MR. MATHEWS: Okay. All right. This is from your approved minutes of March 1st through the 3rd, 1995 in Northway. The council moved and seconded to support the proposal. The council recommendation was, the council supported the proposal

as written. It was a vote of six for, one against, zero abstained, and two absent. The regional council recognizes the user conflicts and access issues in the Dall River Area and supports the proposal to protect subsistence needs. It was clear to the regional council that this proposal would only apply to a small portion of federal land in the area, but the regional council wants to send a message about protecting subsistence uses and providing a preference to local subsistence users. There was a minority opinion. The minority opinion agrees with the regional council's position; however, feels there is no biological evidence to warrant closing the area. And that was your action and it was approved in your minutes.

MR. GINNIS: Thank you. Clarence?

MR. ALEXANDER: I don't like to sit up there.

MR. GINNIS: Okay. That's fine.

MR. ALEXANDER: I don't like to be ushered around like, you know -- so, anyway, in 1983 I became aware of this problem they're talking about. I went to Stevens Village and I was just newly -- a new employee. But, anyway, the first thing they mentioned was -- I told them I just started working for the subsistence division. First of all, they wanted to know what the word "subsistence" is. I told them, hell, I don't even know myself. It's a word that kind of contradicts our way of life. I think if I was a farmer down east, midwest, or somewhere like that, I would consider subsistence as the appropriate word. That's where the white man brought the word from. Up here, we find it kind of customary and traditional. To me, that means just my way of life. But, anyway, talking about this issue here, every year -- every other year that I've ever been in Stevens Village, it's the same issue that's being talked about. And there was one time they were -- people were talking at the same time down there, I think it was in '84, they talked about moose. They said there's all these planes coming in here. So, I went down with a biologist, we invited them, and we went out to the -- we asked one of the local people, an older gentleman there, "Hey, I'll show you, come on." So they chartered a plane and went out there on the lake where the village can't reach -



but they can reach it during wintertime - during any other time of year. There were six moose hanging on one camp. Six moose, all bull moose. I don't think they got them on that lake. They must have brought them in from the other lake around the surrounding area. But the evidence was there to show that there is an impact on the resource there and the impact was so great there was only three moose that we counted on the western end because I fly down that way every other month to do my surveys.

But the impact we're talking about is something that's similar to Minto. I've just been to Minto last year to do a whitefish survey. What happened to the white fish there? Well, they were talking about it years ago; the community was very concerned about it. Do you think that the agencies, the appropriate agencies that deal with this listen? No. There is never once that I can think of why it is, but I can see that we don't communicate. Communication seems to be the gap here. Why? Because last year we had a meeting in Arctic Village on caribou. There must have been about 25 people from different agencies, scientific people, people from all walks of life that are concerned about Porcupine. They were there. But the analysis, the analysis of the meeting, I received it afterward by a person that was working toward their Ph.D. and a Native person, a person that is working for the University of Alaska right now. Her analysis was that not one person in that room understood the other person. They were just simply there by rules and regulation to give out exactly what it says in here.

Like somebody mentioned fragmentation earlier. Fragmented. The agencies are fragmented. We are in circle; they are in little squares. Simple, isn't it? Fragmentation means to me that every agency is looking out for their own little dollars and programs and projects. The real issue here is: Are we talking about subsistence or are we talking about general public, or are we talking about the commercial activities? What are we talking about? It seems like we're talking about encroachment on our land. Why? These very same people from their own office, they have people that come to our areas and say, okay, you guys are inholders. You are inholders now. The very agency that we're dealing with right here, they're saying that we're inholders. These are federal lands. Now, they're asking for -- they have amount of monies

appropriated so that they can come in here and buy this whole thing out. Do you think that's not true? We have maybe seven, eight, ten people that showed up from federal agencies right here in this meeting room and said, okay, which one of you guys are ready to sell your land. In the meantime, they're playing around with us on these little species of animals. In the meantime, they want to buy us out. So, what are you guys going to do? I think it's the land up here we're talking about is at the Continental Divide. Here, close to Haul Road up to the coastline is the traditional and customary lands of Gwich'in country, nation. We have 7,000 members. I want you to know that. You're dealing with 7,000 people whether you like it or not. You say there is no -- us, we don't see no border. You see border. There's a traditional knowledge of everybody within these areas and they know exactly where their lines are or where their traditional areas of huntings are.

I go out here. People will ask me before they come to the area that I go. Even our own, they get permission and then it's okay. They just ask permission because they want to utilize their equipment, but I think that when you're dealing with -- where I saw it on the Lower Kuskokwim River when they were dealing with some of the influx of people that are coming in, the way they dealt with this is they said, okay, up this river we will have only this size motor. No more outboard motors going up this river because it does damage to the eagle. So, that's how they eliminate it down in certain areas. I know you guys are looking out for your own and we're looking for our own, too. You call it general public; we call it indigenous people. Okay?

MR. GINNIS: Okay. Is there any further discussion on Proposal 64? If not, there is a motion here to support Proposal 64. So, I'd like to request a roll call vote on this proposal.

MR. MATHEWS: Mr. Chairman, Charlie -- Charlie's not present.

MR. GINNIS: He'll be right back.

MR. MATHEWS: Jeff?

MR. ROACH: Opposed.

MR. MATHEWS: John Starr?

MR. STARR: I'll go for this.

MR. MATHEWS: That was a yes?

MR. STARR: Yes.

MR. MATHEWS: Charles Miller?

MR. MILLER: Yes.

MR. MATHEWS: Timothy Sam?

MR. SAM: Yes.

MR. MATHEWS: Randy Mayo?

MR. MAYO: Yes.

MR. MATHEWS: Steven?

MR. GINNIS: Yes.

MR. MATHEWS: And ....

MR. GINNIS: Charlie?

MR. MATHEWS: .... Charlie. Charlie, I'm polling the council members on the motion to adopt Proposal 64.

MR. TITUS: Yes.

MR. MATHEWS: Yes. Mr. Chairman, the vote is six in favor, one opposed.

MR. GINNIS: Okay. The motion passes. We'll move on to Proposal 17. Has that been withdrawn? I'm following -- this

one says 18 and this one says 17. Has that been withdrawn?

MR. MATHEWS: Mr. Chairman, no, I don't believe it has been. We're going to have a ....

MR. GINNIS: It's not on my sheet here.

MR. MATHEWS: No, it's not on your sheet, but I have other information. We're going to do a change of staff because Park Service staff is going to present 17, 18, 19, and 20.

MR. GINNIS: Okay. I think we'll just take a short break so they can get ready. Take a 10-minute break.

(Off record)

(On record)

MR. GINNIS: Call the meeting back to order. Moving on with our agenda, we're on Proposal 17. Go ahead, Vince.

MR. MATHEWS: Proposal 17 deals with Unit 8 -- Unit 11 caribou. It's on page 41 through 58 in your book. And I believe the presentation will be a combination of 17 and 18, and I will give you the public comments of 17 and 18 together if that's okay at this time. Okay? Because it deals ....

MR. GINNIS: Are they similar or what?

MR. MATHEWS: Yes, they both deal with caribou in Unit 11 and they deal with season of August 10th through -- establishing a season of August 10th through September 20th. This is 17. And a harvest quota of 15 bull caribou by federal registration permit. Proposal 18 would establish a season of August 1st through September 30th and a January 5th through March 31st season, a total of 14 bull caribou may be taken by the seven Ahtna traditional villages during an open season. So they're dealing with caribou in Unit 11. And the staff is going to present it together, so I can give you the public comment together or we can do it separately.

MR. GINNIS: I think we ought to deal with these things separately. You know, we dealt with a previous proposal jointly and it just kind of got confusing. Go ahead.

MR. MATHEWS: Okay. I'll give you the public comment on 17 and I think the staff is going to convince you to do them together. So we'll just proceed as you direct it. Proposal 17, there was one public comment on it which was from the Alaska Department of Fish and Game; they support it. I do have -- I don't know, are you going to cover this, Bruce, what the Southcentral -- no, Wrangell Subsistence Resource Council Commission did on these or should I cover ....

MR. GREENWOOD: Yes, I will, Vince. I'll cover that at the appropriate time.

MR. MATHEWS: Okay. Because I have some very recent correspondence from the Wrangell-St. Elias National Park Subsistence Resource Commission. So that's ....

MR. GREENWOOD: But that's ....

MR. MATHEWS: .... it for public comment.

MR. GREENWOOD: That's not public comment.

MR. MATHEWS: Oh, it's not public comment. Okay.

MR. GINNIS: Was that this letter?

MR. GREENWOOD: Right. That's not public comment. That's -- I'll get into that as we get into the analysis.

MR. GINNIS: Okay. Go ahead. You're talking on Proposal 17?

MR. GREENWOOD: Yes. Mr. Chair, council. I'm Bruce Greenwood from the National Park Service. I've been asked by the people at Wrangell-St. Elias National Park to present this proposal here at this meeting. And, first, I'll begin by saying that Proposal 17 and 18 deal with the same caribou population

and related user group. These proposals were analyzed concurrently and at the Southcentral meeting they were also discussed concurrently. So, I'd prefer to go ahead and do it that way.

MR. GINNIS: Okay. That's fine.

MR. GREENWOOD: I think the important thing to recognize here is that in the meeting at the Southcentral Regional Advisory Council on Monday, we spent about between two and three hours working through this. We had testimony from Copper River Native Association elders from Copper River Basin and a few other people on this. The Southcentral Regional Advisory Council spent quite a bit of time deliberating on it and they do have a motion and a recommendation. I would prefer at this time to go through the analysis and present a background on it and then we can go into the recommendation by the other regional advisory council at that time.

There's three considerations here between Proposal 17 and 18. The first consideration is deciding what the harvest quota for the caribou would be; the second one is what season these caribou will be harvested; and the third, which user groups or who would be harvesting these caribou. The federal public lands within Unit 11 are primarily composed of Wrangell-St. Elias National Park and Preserve and the caribou population I'm talking about is the Mentasta Caribou Herd. The Subsistence Board closed the season on Mentasta Caribou Herd beginning in 1992 due to severe and continuing decline in the population. The state season had been closed, beginning in 1990, for the same reasons. The Mentasta Caribou Herd population declined from 3,108 caribou in 1985 to 877 caribou in 1994 and 851 caribou in 1995. As a result of this declining population, the National Park Service, U.S. Fish and Wildlife Service, Alaska Department of Fish and Game approved the Mentasta Caribou Herd Cooperative Management Plan.

Within this plan, it states certain objectives when the season will be open again and I made defer to Conrad on the biology of this if you need further clarification. But the plan would allow an annual fall harvest quota between 15% and 20% of

the previous two-year mean calf recruitment as long as the recruitment is at least 80 calves and then only if the two-year mean fall bull/cow ratio exceeds 35 bulls to 100 cows. In 1994, the fall recruitment was 65 calves; in 1995, the recruitment was 119 calves. The two-year mean is 92 calves which puts it over the level necessary to open the hunt. In 1994, the bull/cow ratio was 38 to 100 and in 1995 the fall bull/cow ratio was 35 to 100; thus, the two-year mean is 36.5 to 100 which is over the 35 to 100 level necessary to open the hunt.

So, the Park Service has proposed the hunt be open, but also within this plan there is an opportunity to either allow between 15% and 20% of the previous two-year mean calf recruitment. The staff analysis recommends that the 15% calf recruitment factor be used based on the following: the herd continues to decline from 877 animals in 1994 to 851 in 1995; the adult cow mortality remains high, 18% in 1992, 12% in 1993-94, and 22% in '94-'95. The bull/cow ratio in 1995 was close to a minimum threshold, 35 to 100 needed for a hunt to occur. Is there anything you want to add on the biology, Conrad?

MR. GUENTHER: No.

MR. GREENWOOD: Another factor to consider here is that there are approximately 18 communities that have customary and traditional use of this population within Unit 11. The sociocultural findings that were completed in the analysis indicate that most communities in the area participate in caribou hunting within Unit 11 and most have similar histories during recent times. And what was recommended in the staff analysis is to have a harvest quota of 15 bull caribou and that the Subsistence Resource Commission for Wrangell-St. Elias National Park, the Southcentral Regional Advisory Council, the Eastern Interior Regional Advisory Council would recommend how the limited resource of 15 caribou would be allocated amongst the various users.

What I could do now, if you'd like, is if you want to have some discussion at this point, we could discuss this. I could also present to you the information that occurred last week at a meeting of the Subsistence Resource Commission for

Wrangell-St. Elias National Park and Copper River Native Association's proposal in addition to what the Southcentral Regional Advisory Council recommended doing.

MR. GINNIS: I'd like to ask you a question on this proposal. As you reported here, it seems that from what you're saying, this caribou herd has declined, but yet there's a proposal here to -- in the existing regulation, there's no open season. This one here is proposing a couple of -- August 10th through September 20th and January 5th through March the 31st.

MR. GREENWOOD: Correct.

MR. GINNIS: And I guess I'm just curious, if what you're saying, if these animals are actually declining, then why is there a proposal here to open it up for hunting?

MR. GREENWOOD: I'd like to make a comment on that. The reason why it's being recommended to open up for hunting is, within the management plan, there were certain criteria that had to be met. The criteria is the bull/cow ratio and the calf recruitment factor. Both of those factors have been met, have met the standards established in the plan. And we do recognize -- biologically recognize that this is also a marginal hunt in that we are right at the limits established in the plan and that it was questioned when the plan was first written that two years might not be sufficient time to determine if this is an appropriate time to open the hunt; that possibly four to five years might be more realistic. However, the National Park Service has recommended opening this hunt because it did fall within the requirements of the plan and they would like to follow through with that. But they do -- as a result, they do recommend a lower limit of 15 bull caribou versus the upper limit would be 20 bull caribou.

MR. GINNIS: Has there been any testimony provided from the communities that this would affect?

MR. GREENWOOD: Yes, there is.

MR. GINNIS: Have you met with them or whatever?



MR. GREENWOOD: Yes, there is. This gets into a little more complicated situation and I will hopefully articulate it well. Copper River Native Association had Proposal 18.

MR. GINNIS: Um-hum.

MR. GREENWOOD: They proposed opening this hunt to allow the harvest of 28 bull caribou to the seven traditional Ahtna villages within the area for the season as stated and ....

MR. GINNIS: And 17 proposes five limit?

MR. GREENWOOD: Seventeen proposes 15.

MR. GINNIS: Fifteen. Okay.

MR. GREENWOOD: Now, what Copper River Native Association did is they came in with a proposal to the Resource Commission last week recommending a harvest of 20 bull caribou which is the upper limit of the plan to the elders within the seven Ahtna villages. This recommendation was adopted by the Subsistence Resource Commission which you have a letter written to Mitch there and that is what the Subsistence Resource Commission for Wrangell-St. Elias National Park recommended. And I will go ahead and read that. "The Commission recommended a harvest based on the upper portion of allowable range which is consistent with the plan. This would result in a total take of 20 bull caribou. The Commission further recommended that the 20 bull caribou allocate to the seven Ahtna Native villages. These villages include Chitina, Copper Center, Tazlina, Gulkana, Gakona, Chistochina, and Mentasta." They further -- I think I would prefer to stay with the biology right now and then after we decide on the biology we can also -- we can go ahead and discuss allocation, of how we would go ahead and allocate the harvest quota.

MR. GINNIS: Go ahead.

MR. ROACH: Mr. Chair, I would like to make a motion that we support Proposal 17 and take no action on Proposal 18.

MR. GINNIS: There's been a motion. Is there a second?

MR. TITUS: I'll second it.

MR. GINNIS: It's been seconded. Okay. Since the motion has been made, what is the primary difference between 17 and 18? One is increasing more harvest, right?

MR. GREENWOOD: Correct.

MR. GINNIS: And then the other part of it is the difference in the seasons?

MR. GREENWOOD: Yes. There's a difference in the season. If I would -- if you'd like me to at this moment, I could let you know what the Southcentral Regional Advisory Council -- the action they took on these two proposals. It might help clarify where they're coming from on this. It would also clarify the season.

MR. ROACH: I would just like to say why I made the motion.

MR. GINNIS: Go ahead, ....

MR. ROACH: Okay.

MR. GINNIS: .... before we get into this.

MR. ROACH: All right. The reason why I made the motion the way I did was because Proposal 17 is aligned with the Mentasta Caribou Herd Cooperative Management Plan which we supported development of, and it also does not restrict -- it's less restrictive on the subsistence users of the area and allows for flexibility in the harvest limit to continue to meet the requirements of the management plan.

MR. GINNIS: Go ahead, Chuck.

MR. MILLER: Would this hunt interfere with any of the

other hunts that are already going on or that would already be going on?

MR. GREENWOOD: I'd like Conrad Guenther to respond to that.

MR. GUENTHER: The only way that it potentially could interfere with them is if -- let me back up just a little bit. The hunts you're talking about is the winter hunt for the Nelchina animals in the Tok area?

MR. MILLER: Yeah.

MR. GUENTHER: The winter hunt in the Tok area and, Craig, if I misstate anything stand up and get after me on it. Basically, the winter hunt for the Nelchina animals is based on the appropriate mix of Mentasta Caribou and Nelchina animals. Basically, it's set up to reduce the possible harvest of Mentasta animals. As Bruce stated, this herd has declined dramatically from several thousand animals to eight hundred and some animals over the last half dozen years. The only way that it would potentially impact the Nelchina hunt is if the 20 caribou were taken during the Mentasta hunt and Mentasta animals were available, mixed in with Nelchina animals, collared Mentasta animals so we knew they were there, road-adjacent. And it may affect what the potential mix could be. And, currently, what's the mix ratio? I can't remember.

MR. GARDNER: Well, it varies each year. This year it was very high. It was over 100 to 1, roughly.

MR. GUENTHER: Well, what's the minimum?

MR. GARDNER: Oh, the minimum, we're talking 30 to 1.

MR. GUENTHER: So if currently a 30 to 1 mix, in other words, you have to have a minimum of 30 Nelchina animals for every Mentasta animal to protect the Mentasta animals. If the harvest of 20 Mentasta animals had occurred prior to the winter hunt, or the proposed winter hunt, the number for that mix may be raised considerably. And so it's possible that if Mentasta

animals were adjacent to the road in fairly large numbers with Nelchina animals, that it could affect carrying out the existing Nelchina hunt. Again, it's speculation. You know, in recent times, Mentasta animals in the last couple of years have not been immediately available to the road and when they have been up to, they've been in very small numbers. And so as Craig said, you know, we're a hundred and some Nelchina animals for every Mentasta animal. But it is a potential problem. Whether it becomes a problem or not, you know, caribou are caribou and we just couldn't -- we just don't know for sure.

MR. ROACH: Craig, go ahead.

MR. GARDNER: Yeah, I just wanted to make a comment. Craig Gardner, Fish and Game. Actually, this is kind of a, I think, even more complicated, biologically and sociologically, so far as, you know, Bruce and Conrad both pointed out, the declining herd. One of the points they did mention that I think is important is that the cow mortality rate in most of the collared cows is, you know, like 18% on the Mentasta Herd. Well, that's the average. It varies between 12% and 22%. I think it was even like 18% last year. Well, we know the bull mortality rate is even higher than cow mortality rate. The bull/cow ratio is at 35 which is the minimum that the plan calls for. Now, even if they shoot 15 or 20 in this hunt, I think what we're really going to see is when that herd -- when the Mentastas come over with the Nelchinas to Unit 12, there's a possibility there can almost be a zero to a five sustainable harvest over in 12 which would actually greatly affect the subsistence hunt in Unit 12. In fact, we could have a point where you -- the mixing ratio would have to be almost unbelievable. I mean, it does vary each year.

This is the greatest year we ever had, like 100 Nelchinas to one Mentastas. But, you know, other years it's been, you know, as low as 32 to 1. So, now we're talking about -- this is where it gets really complicated for you guys. These are like the simplified things, but now I think you're going to have to almost talk to the Southcentral Regional Council because you're almost pitting two user groups against each other, two subsistence user groups. You have one over in

Unit 12 that possibly can have a harvest of 100 to 200 caribou because it's Nelchinas against one over in Southcentral that can have one for only 15 or 20. To me, this is getting real complicated and, like Conrad and Bruce mentioned, it's a bare minimum hunt. I mean this herd is declining, the bull/cow ratio is declining naturally. I mean even before they get shot. And this year was a 22 calf I think per 100 calf year. For five, six years in a row, the Mentasta calf crop has been probably less than 11.

To me, I mean, I was in support of the Mentasta Plan, I still am. To me, it's pushing it a year early maybe, but what can happen is you could affect subsistence users over in 12 big time. So, I don't know if I helped or hurt.

MR. GINNIS: Go ahead, Jeff.

MR. ROACH: We have Bob Schultz here from the Tetlin Wildlife Refuge. Maybe he can also address some concerns with the Unit 12 harvest. I don't know if he has any input.

MR. SCHULTZ: (Mr. Schultz speaks from the back of the room.) Bob Schultz, assistant refuge manager. I guess my thoughts are kind of aligned with Craig's. Everything is right at the minimum. The bull/cow ratio this last year was 35 bulls per 100 cows. The calf ratio was -- I guess I would like to see another year, see what the calf production does. If we get another one, maybe we can bump it up. Right now, we harvest right around 50 animals with the subsistence hunt. It varies greatly from one year to the next. But this year here, in one of your proposals, you've added four more communities -- three more communities to that hunt. If they have a C&T determination, you may get -- you've also added Tok, Dot Lake, Tanacross to that hunt, so there's going to be an additional number of people that will want to partake of that resource down there. I don't think that was built into that plan when the Mentasta Plan was (inaudible). So we're right at the minimum level to have a hunt. We, at the refuge, worked with Craig and we worked with the Wrangell-St. Elias people in developing that plan, but I don't think we brought in this increase in numbers of take there that I see is going to possibly -- we're going to

have to start putting some quotas on the take in Unit 12 if this thing is passed (inaudible).

MR. GINNIS: Can I ask you a question? Based on the comments of these two gentlemen here -- I'm speaking to him. Thank you. Where is the National Park Service coming from? Where -- how did they ever come up with this proposal? Based on what they just had to say, it might be more advisable to open this up maybe next year rather than what's being proposed now. And then the other question I guess that leads to that, if we don't take action on this, what's going to become of those folks that rely on this resource?

MR. GREENWOOD: To respond to your first question, the reason why National Park Service recommended opening this season this year for Mentasta Caribou is that it did meet the requirements called for in the plan and the Park Service wanted to follow through with the commitment it made to the people of the area.

MR. GINNIS: So who is all involved in this management plan? Does that involve the refuge people from out there?

MR. GREENWOOD: Yes. It's National Park Service, Fish and Wildlife Service, and Alaska Department of Fish and Game.

MR. GINNIS: Go ahead, Jeff.

MR. ROACH: Mr. Chairman, with the support of the second, I would like to withdraw my motion.

MR. GINNIS: Is that all right?

MR. TITUS: Fine with me.

MR. GINNIS: Okay. So the motion on consideration of Proposal 17 has been withdrawn. Go ahead.

MR. ROACH: I would like to make a further motion to defer action on Proposal 17 and 18 for one additional year.

MR. GINNIS: Okay. It's been moved. Is there a second?

MR. MILLER: Second.

MR. GINNIS: Seconded. Okay. Further discussion? Now, you haven't answered -- I don't think you've answered my question. Now we're going to -- the action is to defer. How do we address the needs of these communities?

MR. GREENWOOD: I think if you -- I think the needs of the communities were expressed, one, in Proposal 18 when they requested the hunt be open for 28 head. Also, number two, it was expressed by a letter that Copper River Native Association sent to the SRC which is reflected in the SRC recommendation, saying that they wanted to have it open for 20 head of caribou for the elders of the seven Ahtna villages. Thirdly, it was expressed in the meeting on Monday morning when three or four elders spoke in favor of opening this up. This is their traditional hunting area. They've harvested the Mentasta Caribou here traditionally, and they would like to do it this year. And, fourth, Copper River Native Association had their subsistence specialist also speak in favor of opening the herd up.

MR. GINNIS: Jeff.

MR. ROACH: I understand the desire and the need for those subsistence users in that unit to harvest these animals; however, biologically, it appears that their desires should be deferred for one additional year to perhaps make the herd sound enough so that it can increase which will additionally benefit them in the future, but also not to adversely affect those other subsistence users in Unit 12 who rely on the Nelchina Caribou Herd which is dramatically tied to the health of the Mentasta Caribou Herd. And I guess we're going to have to make a decision based on this and I think deferring this one additional year will be -- in the future will be better for both groups, those in Unit 11 and in Unit 12.

MR. GINNIS: I understand your point of view, but, you know, I guess I'm just a little concerned about the request

coming from the Ahtna villages, particularly coming from the elders of that area. I can understand their need to, you know, harvest this resource. Is there any possibility that a recommendation can be made to at least have a limited opening?

MR. GREENWOOD: This council could recommend any harvest quota that you would choose to recommend. Why the Park Service recommended 15 is because that's what was called for in the plan, between 15 and 20.

MR. GINNIS: Can I have a response from the refuge manager on my question?

MR. SCHULTZ: (Away from microphones) It's my understanding what you're saying is having a limited -- a reduced hunt from the 15 animals?

MR. GINNIS: Pardon me? No, I was just looking at Proposal 18 and the request that's coming from the elders of that Ahtna villages and I was just asking -- the motion here is to defer action on this stuff, on these proposals. And my view here is that I can understand the elders' concerns here in having an opportunity to harvest these animals and I was just curious if there's -- would it be appropriate to have some kind of a recommendation to have at least some period of time to address the concerns of these elders?

MR. SCHULTZ: (Away from microphones.) I guess I'm still a little confused. You're asking for time to have the elders request -- I think -- one of the things that maybe hasn't been brought up yet, there's two herds, the Nelchina Herd and the Mentasta Herd, and the two herds are going in opposite directions right now. The Mentasta Herd is decreasing at a fairly rapid rate and the Nelchina Herd is increasing at very rapid rate, I would say. It's up over 50,000 animals right now. Most of the Nelchina animals are taken on state land or the hunting opportunity is taken on state land and that's the Tier II hunt right now. And the state is looking at options there to increase the amount of take of that herd. They'd like to have a take, I believe, Craig, you're of 10,000 animals this coming year?



MR. GARDNER: (Nods head.)

MR. SCHULTZ: I think there will be -- there will probably be, you know, access to the resource, but it would be a different herd than they ....

MR. GINNIS: A different herd?

MR. SCHULTZ: Yes, the Nelchina Herd.

MR. GINNIS: So, I guess the way I'm trying to understand you is that even if we deferred action on this, they still have opportunity to harvest from another herd?

MR. SCHULTZ: Yes.

MR. GINNIS: Okay.

MR. SCHULTZ: (Away from microphones.) See, what happens there, the Mentasta Herd is a small intermountain herd and the Nelchina Herd comes right through the calving grounds or very near the calving grounds when it comes to the winter (inaudible). And when those two herds meet in the area, they become all mixed up and that's what clouds this whole issue and makes it more confusing.

MR. GINNIS: So how far would these communities have to travel to harvest this other herd? I'm not familiar with this ....

MR. ROACH: I think Craig could answer that better.

MR. SCHULTZ: Yeah, why don't you get up and show them where the two herds are on the map and maybe they'll ....

MR. GARDNER: Yeah.

MR. SCHULTZ: That will help clarify this.

MR. MILLER: Hey, Steve, is that 200 miles from the

furthest community?

MR. GARDNER: (Away from microphones) The Nelchina Herd, when they -- this is like kind of their basic migration on the Nelchinas. They calve pretty far over to the west of (inaudible), but the subsistence harvest -- there is a subsistence harvest on federal lands, BLM land in Unit 13 and, actually, they have a limit of two caribou. It's actually -- for Nelchinas. It's actually a fairly liberal subsistence harvest. And where these people can reach them is -- we have Sourdough on the map, you've got Gakona -- Gakona and Sourdough is like 30 miles apart and Gulkana, you know, it's another 15, so 45 miles apart. Copper Center is another 16, so 50, 51. The Nelchina Herd crosses right through here, between Sourdough and Gakona or between Paxson and Sourdough. So and that's -- federal land starts around Sourdough, this is all federal land, this is the corridor. They would have access to the Nelchina Herd. Now, for a couple years they haven't been all that (inaudible), but they all -- they almost always cross through here, you know, and so that'd be where -- the ultimate resource would be in that federal lands.

MR. GINNIS: Okay. So, the distance they would have to travel to harvest is about 15 miles?

MR. GARDNER: That'd be from Copper Center -- you know, like you're talking Chitina, Kenny Lake. You know, it'd be a little bit further. They're like, you know, another 30 miles down this -- you know, the Richardson. But so maximum distance would be Chitina maybe 70 -- no, it'd be a little bit longer than that. Maybe 100 miles. But Gakona, Mentasta -- yeah, 30 to 50.

MR. ROACH: Craig, could you say how far they would have to travel to harvest the Mentasta Herd?

MR. GARDNER: Yeah. Well, actually, where they're talking about -- they're probably talking the Nebesna Road. It's the only road-accessible place they can get to Mentasta.

MR. GREENWOOD: Right, that's a road-accessible place.

MR. GARDNER: Right.

MR. ROACH: And that's considerably further than the Nelchina Herd.

MR. GARDNER: Actually, you're right.

MR. GINNIS: Go ahead.

MR. GUENTHER: Mr. Chair, let me give you just a little biological background on this Mentasta Herd. The Mentasta Herd actually started declining in about 1985. At that time it was just over 3,000 animals. In fact, the estimate was 3,100-plus animals. From 1989 to 1993 it really declined dramatically. There was approximately 24% loss of adult animals per year during that time. Twenty-four percent of the herd was lost per year. Calf survival rates -- calf birth and survival rates were less than five calves per 100 cows. So, I mean we went through a period of four or five years when there was almost no calf replacement occurring. Now, again, remember 1985 was 3,000 animals. By 1994, it was down to 877 animals. It continued to decline into 1995 last year. It went from 877 in '94 to 851 in '95. So, even though calf production has improved in the last couple of years so that we've got enough calves so that recruitment is high enough so we can have a small harvest of 20 animals, the herd is still declining. This is not a healthy herd. And the probability is if 20 bulls are taken out of the herd this year, that the minimum bull/cow ratio that's established in the plan, the two-year average of 35 bulls per 100 cows, there's a good probability that it cannot be met next year.

So they'll have a hunt this year and next year the bull/cow ratio will be below the minimum in order to have a hunt within the plan, and so they could not have a hunt the next year. I think that's a -- you know, from my perspective as a biologist, that's a major concern. This is not really a healthy, viable herd. It's just shown a couple of years of good calf survival. Adult mortality is still quite high. I don't know what the figure was last year. What was it, somewhere

around 10 or 15%?

MR. GARDNER: The numbers I know is 18%.

MR. GUENTHER: Was 18% last year. So, it's still very high. And I think those are some thing that you have to consider in making this -- a decision on this proposal, you know. This is not a herd that's growing and it's going to -- looks like it's really going to make it. We've just got a couple years when this herd has started to show that it may recover, but it's still sliding downhill and we don't know exactly why the herd is going downhill. Of course, predation probably plays a role, some illegal harvest may play a role, poor range conditions may play a role, but it does mix in with the Nelchina Herd which is growing like crazy during the winter, so it's not winter range conditions. But there are some factors that are making this herd go downhill. So, that's basically all I have to say, unless you have questions on it. But it's ....

MR. GINNIS: No, I don't have a question on that, but what I have a question on is, apparently, the Southcentral and Eastern -- this board here endorsed or -- yeah, endorsed this cooperative plan. Are we not being consistent with our support if we vote against these proposals? I mean if we're supporting this cooperative plan by the previous action of this council here, by turning these -- deferring these, are we not supporting the Cooperative Management Plan? And the other question I got I guess is like you stated earlier, there are a number of other folks involved in this plan and based on the information that you're providing us here, the biological information, wasn't those things considered before the National Park Service came up with this proposal?

MR. GREENWOOD: Yes, it was, and the information that Conrad brings forward has been discussed biologically amongst the Park Service biologists and the other Fish and Wildlife Service biologists, and it is recognized and understood that this hunt is marginal, we are at the very break-even limits to have a hunt. But Park Service feels very strong that it does meet the requirements by the numbers and that there ought to be a hunt this year, but the hunt ought to be at the lower limit

which is 15% of the calf recruitment which is 15 head of bull caribou. So, that's the Park Service position on it and that's why we're going that way because we do feel we have to support the plan; it was written, we meet the numbers, we want to go ahead and do that.

MR. GINNIS: Go ahead, Jeff.

MR. ROACH: I just -- I think by us asking for a deferral, we are continuing to support the plan. We're just asking the managers who put the plan into effect to defer action for an additional year to allow the herd to biologically increase to a point -- hopefully to a point where we're not going to enter into a cycle of decline and close seasons based on other biological data such as the reduction in the bull/cow ratio. I think by deferring, we're continuing to support the plan, but we're just asking for more time for an increase in the production.

MR. GINNIS: Okay. Is there any further questions, discussion on the motion? Yeah, it's kind of a tough one for me, but I think I would like to -- are we ready to vote on the motion? If there's no further questions, then I'd like to request a roll call on this one.

MR. MATHEWS: The motion is, if I understand it correctly, is to defer both 17 and 18?

MR. GINNIS: Yes.

MR. MATHEWS: Okay. Randy?

MR. MAYO: I'm kind of having a tough time with this. You know, this kind of is coming back to sort of another proposal we talked about earlier concerning this area, you know. You know, I'm looking over this CRNA proposal, you know, and we talked about deferral, you know, just keeping people hanging when, you know, this is pretty valid to me, you know, this proposal coming from these Ahtna villages.

MR. GINNIS: How would you vote?

MR. MAYO: Well, I'll just say no.

MR. MATHEWS: Timothy Sam?

MR. SAM: Yes.

MR. MATHEWS: Yes? Chuck?

MR. MILLER: Yes.

MR. MATHEWS: Yes. Mr. Starr?

MR. STARR: Yes.

MR. MATHEWS: Jeff?

MR. ROACH: Yes.

MR. MATHEWS: Charlie?

MR. TITUS: Yes.

MR. MATHEWS: Mr. Chairman?

MR. GINNIS: No.

MR. MATHEWS: The vote is five for, two against. The motion passes to defer.

MR. GINNIS: Okay. The motion passed. Go ahead.

MR. GARDNER: (Away from microphones.) I don't want to be out of place here, but I've lived a lot of years down in that -- you know, Glennallen (inaudible) and that area, and I know that the Mentasta Herd is important, you know, to the Ahtna people and that's why I made the little pitch when I first said that you guys need to talk to the Southcentral people because I also know right now the subsistence hunt in Unit 12 is very important, you know, to Northway, Tetlin, and Tanacross. And so like I said, it's kind of a -- it's really complicated to me

what you can do here because it probably is a small harvest that can be taken out of the Mentastas, but how you allocate that is -- I think Randy said it right, you know, it's important to the people, it's important to (inaudible).

MR. GREENWOOD: Mr. Chair?

MR. GINNIS: Go ahead.

MR. GREENWOOD: For the record, I'd like to state what the Southcentral Regional Advisory Council recommended on this proposal.

MR. GINNIS: Go ahead.

MR. GREENWOOD: What they've recommended, and this is not exact wording but it's very close, but they would like to modify Proposal 17 to allow for the take of 20 bull caribou from August 1 to March 31st by federal registration permit. These 20 bull caribou would be allocated to the 20 -- I'll begin again. They would allocate the 20 bull caribou permits to the elders of the seven traditional Ahtna villages of Mentasta, Chistochina, Gakona, Gulkana, Tazlina, Copper Center, and Chitina.

MR. GINNIS: Thank you.

MR. STARR: Maybe I'll change mine. Is that -- from all the villages there, they just want 20?

MR. GREENWOOD: Yes. Twenty is upper limit of the plan.

MR. STARR: For the elders in that -- in all the villages there?

MR. GREENWOOD: Right. That's correct.

MR. STARR: Well, I'll change my ....

MR. GREENWOOD: Yeah, for clarification, what I read was

the Southcentral Regional Advisory Council's recommendation after they took all the input from the people and the analysis and so forth. And their recommendation will be advanced to the Subsistence Board in that manner.

MR. GINNIS: Okay. I think you're telling us something after we took a vote, but in any case, thank you for your report. Charlie?

MR. TITUS: No, Mr. Chairman, I just didn't get it clear. If I may, Mr. Chairman, ask him a question? If we pass it, they still have this 20 caribou, right?

MR. GREENWOOD: Excuse me?

MR. TITUS: The elders still have the option of this 20 caribou?

MR. ROACH: They could. Oh, I'm sorry. I'm out of place, Mr. Chairman.

MR. GREENWOOD: To respond to your question is that since this council voted to defer the proposals, 17 and Proposal 18 till next year, it will go to the staff committee and to the Subsistence Board as this council would be asking for a deferral. The Southcentral Regional Advisory Council is going to be asking for what I had previously mentioned, the 20 bull caribou to the seven traditional villages from August 1 to the end of March.

MR. GINNIS: Go ahead, Jeff.

MR. ROACH: I just wanted to respond to Charlie that now that the Federal Subsistence Board will decide based on the recommendations of both councils. So, they have -- the option is still there for the Federal Subsistence Board to decide from that, yes.

MR. GINNIS: Okay. I think this -- it's 12:00. Was an hour and a half enough time yesterday for lunch? I know you guys must have filled up that lodge up there, though. If



there's no objection from the council members, then we'll take an hour and a half lunch and come back at 1:30.

(Off record)

(On record; 1:30)

MR. GINNIS: Okay. I'll call the meeting back to order. We're on Proposal 19. Go ahead, Vince.

MR. MATHEWS: Yes. Mr. Chairman, Proposal 19 is in your book starting on page 59. It deals with Unit 13 and 20 caribou and moose. It could be better explained, but basically it's a request for a positive customary and traditional use determination for residents of McKinley Village in the area along the Parks Highway between Milepost 216 and 239 for the use of caribou and moose within Unit 13 and for moose in Unit 20(A) and 20(C), and I think I'll let the staff give more details on it. Public comments -- well, let me see here.

MR. GINNIS: Only got one.

MR. MATHEWS: One? We had one public comment on that from Joe Sonneman of Juneau. "I'm dissatisfied with the areawide determinations. The preference should be based on individual income rather than area population." And with that, Hollis Twitchell will be presenting the proposal analysis for No. 19.

MR. GINNIS: Go ahead.

MR. TWITCHELL: Good afternoon. I'm Hollis Twitchell. I'm with Denali National Park. I'm the subsistence coordinator there. I will do my best to stay with you through today. I'm struggling with a little bit of a cold and have a lot of medication, so if I'm not really clear, I'd suggest that this medication is affecting me. If I can't continue speaking, I will ask Bruce Greenwood to fill in and help me out. Proposal No. 19 was submitted by the Southcentral Regional Advisory Council. It's to resolve a longstanding controversial issue regarding the use of moose and caribou in this McKinley Village

area. I'll go over to the map and point out where the areas are and then continue on. Is this too far away for everybody to see?

MR. GINNIS: No.

MR. TWITCHELL: McKinley Village is located right here along the Parks Highway, just outside of the Park. Healy is located just north of there, a few miles in this area. The 216 to 239 area starts right here at the division between Unit 13(E) and Unit 20(A). So the area that was excluded from use of moose and caribou up here extends from this point up to just about the northern portion along the Parks Highway where the boundary is. So this is the area we're referring to right here. These community members utilize moose and caribou resources both in 20(C), 20(A), and then into the south area, moose and caribou resources in 13(E).

The Southcentral Regional Advisory Council was the proponent of this proposal since these individuals utilize the south side as much as they utilize the north side. They, in their listing of priorities, identified this as a very high priority and forwarded the appeal. I'd also point out to you that individual members from McKinley Village came before Eastern Interior Council in 1993 asking the council to support the appeal process and urging the council to make it a high priority to review the area. The council agreed and sent the letter to the Federal Subsistence Board, urging them to move this up to a high priority. So there's been some communication between this council and the board on this matter as well. The Park Service is -- Denali National Park is in support of this proposal as well as the local community members in the McKinley Village area.

As you can see on the maps, that the area is in a close proximity to the Park and, as such, National Park lands in Unit 20(C) comprise 96% of all the federal lands in that area. And in Unit 13(E), National Park lands constitute 99% of the federal public lands in that area. So the use that's occurring here is exclusively on National Park lands and really doesn't involve BLM or Fish and Wildlife Service lands in the region.

And, as a side note, there's a fairly limited amount of BLM and Fish and Wildlife Service lands in those units as well.

Park Service uses its regulations to identify eligibility by identifying resident zone communities; those are communities made up of a significant concentration of people who have actually used the Park resources, and they also use a permit system for individuals who don't reside in these resident zones. Individuals can come in and apply for permits and those permits are issued based on the individual showing a personal or a family history of use on Park resources prior to when the Park was expanded in 1980. It's also based on their customary uses, what species, where, when, and for how long; based on their residency, how long they lived in the area; and it's based on their means of access. I'd just point out that the Park Service has a specific regulation that says use of aircraft for subsistence take is not allowed. So, access was a consideration in issuing these permits as well.

In 1981, the Park Service issued 16 permits to individuals in McKinley Village and they issued two permits to individuals in Healy. I guess I should backtrack just a bit to say that the Southcentral Regional Advisory Council's proposal only dealt with McKinley Village and it was silent on Healy. The staff committee suggested that Healy should be considered as well because of its close proximity between the two communities and also the fact that Healy had lost its rural status at the same time McKinley Village did in 1987. So, just in the interest of fairness, the analysis was expanded to include a look at Healy as well as McKinley Village. So there were two individuals from Healy in the early eighties, 1981, who had received permits from the Park.

These permittees, 16 from McKinley Village and two from Healy, continued to use these Park lands until 1987. In 1987, the Alaska Board of Game passed a non-rural determination. That non-rural determination affected Healy and McKinley Village and, as such, it caused these permits that the Park had issued to be invalid since you have to be a rural user to be a subsistence user. Of course, that was immediately appealed to, at that time, the State Board. The State Board reviewed that

determination in 1988 and they reversed that non-rural determination and called the area rural once again, with the exception of Denali Park Headquarters and the Clear Air Force Station; those were identified as non-rural areas. At the same time, or immediately after that joint board meeting, the Board of Game passed a C&T determination for moose in 20(C) which, in effect, indicated that the area between 216 and 239 did not have customary and traditional use to moose and caribou. So the net result was that they called the area rural again, but they excluded those communities from using moose and caribou, two of their primary resources.

MR. GINNIS: We're just trying to wake up some people in here. Go ahead. Sorry.

MR. TWITCHELL: All right. In 1990, with the federal government assuming subsistence responsibility for taking of fish and wildlife on federal public lands, the McKinley Village area people petitioned the Federal Subsistence Board to review the state determination. The other thing that I would point out to you is that when the Federal Subsistence Program came into effect, McKinley Park Headquarters was again considered a rural community based on the federal program's criteria. So, as it stands today, McKinley Village, Healy, and the Park Headquarters are all considered rural communities. The Park Headquarters community is a separate, distinct community from McKinley Village and, as such, really shouldn't be considered one and the same. It has its own community hall, it has its own representation, it has its own fire service. The Park Headquarters is characterized by people who have very short-time residency and full-time employment which is not the pattern that you would see in the McKinley Village area at all. So, since there is no one in McKinley Park Headquarters who are subsistence users on federal lands, and no one has requested from the Park Headquarters a C&T use of moose and caribou, for the purposes of this analysis we've separated out Park Headquarters from McKinley Village. I guess at this point, I would put it before the board and ask you whether you wanted me to go through the different criteria, the eight criteria that's used in the analysis which will take a little while, or ....

MR. GINNIS: I think we've been inundated with the criteria since we've been sitting in here the last few days, so ....

MR. TWITCHELL: Okay.

MR. GINNIS: .... I think we -- thank you.

MR. TWITCHELL: Okay. What I'll do then is I'll move to the conclusions. I guess one of the things I would like to bring out, I guess, prior to going to the conclusions is that in looking at the groups of individuals who had permits from the Park Service, the majority use of these individuals began in the very early seventies. They represent about 26 years of use in the area. There are several individuals whose use began in the sixties, which would be about 36 years of use. There are two individuals in this group whose use began in the 1950's and would represent 46 years of use in the area. Other than that, the community is a road system community and, as such, is primarily -- this community is primarily a non-Native community. It does not have the benefit of traditional knowledge or village or tribal councils to rely on to represent their interests. As such, basically, it's comparable to most any of the other road communities such as Tok, Cantwell, Glennallen, Trapper's Creek, Talkeetna. In terms of the social and the demographic information, these communities are all fairly comparable.

The preliminary conclusions that we've drawn is to modify the proposal as follows: Residents of McKinley Village and the area along the Parks Highway between Mile 216 and 239, except for the households of Denali National Park, should be eligible for subsistence use of moose and caribou within Units 13(E), 20(A), and 20(C). We recommend no change in the existing eligibility determinations for the community of Healy. Justifications for this is for the McKinley Village area, residents of the McKinley Village area and those residing within this Parks Highway 216 to 239 generally exhibit the customary and traditional use factors necessary to qualify for use of moose and caribou in Unit 13(E), 20(A), and 20(C). I would again refer you to these maps over here which were -- information on these maps were derived from the State of

Alaska's 1987 study, community profile and study, and it represents for moose for McKinley Village these highlighted areas through here represent the areas in 20(C) that they utilize for moose harvest, the areas in 20(A) that they utilize for moose, and then the areas within 13(E) that they utilize for moose. There was, of course, a little area up here up around Nenana as well. Keep in mind that the reason there's no use in here is because ANILCA didn't open up this area, Old Mt. McKinley Park, to subsistence. It had been closed to subsistence or any consumptive use when the Park was established in 1917. For caribou, McKinley Village area included this area to the north of Stampede, Kantishna Hills, over into the Yannert Valley, McKinley Village, and then out across the Denali Park Highway and into the south side of the Park. The community of Healy, use of moose extends into this area in 20(C), 20(A), and 13(E). And for caribou, Healy has primarily shown their use in 20(A).

Sixteen out of the 19 permanent households along the Parks Highway, 216-239, were issued subsistence use permits for hunting in Denali National Park in 1981. As I mentioned earlier, the majority of these households' use began in the seventies, several into the sixties, and two households back into the fifties. If you then take the overall years of residency which include the other members that are new to the community that are not subsistence users, it brings the average year of residency to only 13.1 years which is low, but that's also comparable with all the other road communities, Tok, Glennallen, et cetera. Over 50% of the households from this area utilize at least five different subsistence species and they exhibit a high percentage, 89%, of sharing of resources. If you look at the total number of pounds of harvest for this area, their household poundage is comparable to Tok and above most all of the other comparative subsistence communities, Glennallen, Talkeetna, Trapper's Creek, et cetera.

For the Park Service community, as I mentioned before, no households in the Park Headquarters participate in subsistence activities on public lands. No households have requested an authorization for that use and, as such, we're not considering them a component of this request. For the community

of Healy, again, the maps indicate the areas that they use, 13, 20(A), and 20(C). I would point out to you that only two out of the 270 households that reside in Healy have come forward to apply for subsistence use permits from the National Park Service. While there may be other households in that community that could qualify, it certainly is not evident. Their use and needs of resources from Park lands has not been pursued. Fifty percent of the households in Healy utilize only three different subsistence species, but they also exhibit a good percentage of sharing, 80%, of those resources. Again, Healy's average length of residency is, again, low, 13.8 years, but is also comparable to or greater than the other comparative subsistence communities within the area.

In conclusion, I would say that what this action would do, if this proposal is approved by this council and by the Federal Subsistence Board, would reauthorize these individuals along this road corridor area who have, in the past, held subsistence use permits from the National Park Service to again resume their traditional use. Park Service's eligibility would continue to need to be met for any new users to be added to the area. Since it's been over 16 years since ANILCA was passed, I don't expect that there will be very many, if any, new individuals from these communities coming forth to receive permits. New arrivees into the communities of Healy and McKinley Village, it's not possible for them to qualify to be subsistence users in this area since, as I mentioned, the Park eligibility requires a personal or family history of use prior to 1980 as part of their eligibility. So we don't expect that there will be any significant change in terms of subsistence use than what was occurring back in the '80 to '87 period of time. The last thing I would mention is the Southcentral Regional Advisory Council voted unanimously to support the proposal with the modifications as suggested. I'll try to answer any questions at this time.

MR. GINNIS: You know, I wasn't aware there was such a thing as McKinley Village. This is the first time I ever heard of it. So, how many residents reside there?

MR. TWITCHELL: McKinley Village has a population of 29

people and that's represented in 17 households. That's within the village itself. If you take the Mile 216 to 239, there is another 27 persons residing in that area, represented by 10 households. So, for this whole area, you're looking at 66 community members in that area.

MR. GINNIS: Go ahead, Jeff.

MR. ROACH: I'd like to make the motion that we support the proposal, as modified.

MR. GINNIS: Okay. It's been moved. Is there a second?

MR. MILLER: Second.

MR. GINNIS: Seconded by Chuck. Is there any further discussion? Questions? Go ahead.

MR. ROACH: I would just like to remind the council that when -- I believe it was three years ago when this was first brought before us, we supported the residents of McKinley Village and Mile 216 to 239 receiving customary and traditional use determinations at that time.

MR. GINNIS: Is there any further discussion? Okay. If not, then all in favor of the motion, signify by saying aye.

ALL MEMBERS: Aye.

MR. GINNIS: Those opposed? Okay. The motion carries. All right. We'll move on to Proposal 20.

MR. MATHEWS: Yes, Mr. Chairman, Proposal 20 is in your book on page 87. It deals with sheep in Unit 13. The proposal requests a positive C&T or customary and traditional use determination for sheep in Unit 13 for the residents of Chistochina, Copper Center, Gakona, Gulkana, Mentasta, and Tazlina. Public comments to date, two; one from Alaska Department of Fish and Game. Their final comment has been postponed, but, "The Board of Game negative findings for Unit 13 were based on very low levels of contemporary use. There is an



extremely limited amount of sheep range on federal lands in Unit 13. Currently, every Unit 13 resident can hunt sheep on all sheep range in Unit 13, being restricted only to taking one mature ram." Joe Sonneman of Juneau said no, or opposition to the proposal, ". . .a tradition which ended by 1940 is hardly a tradition any more. This has not been customary and traditional for two generations, even if part of history before that. Traditions evolve; the present custom and tradition does not include what the proposal proposes." And that's all the public comment we have, and Bruce will be presenting the analysis for Proposal 20.

MR. GINNIS: Okay, Bruce, have at it.

MR. GREENWOOD: Mr. Chairman, council, I'm Bruce Greenwood from the National Park Service. When I was in Cordova, I was asked by the Fish and Wildlife Service to present this proposal, so I'll go ahead and present it up here, also. What we have here is -- I'll be as quick as I can with this. Proposal 20 would give customary and traditional use for sheep in Unit 13 for eight Ahtna villages of Chistochina, Chitina, Copper Center, Gakona, Gulkana, Mentasta, and Tazlina; also, Cantwell, which is not listed in here. It was an error by the original proponent. The staff analysis -- before I get into the staff analysis, I'd like to let you know that there are very few federal public lands in Unit 13. In the entire unit, there's only 9.5% of the land that's administered by the federal agencies. In Unit 13(A) and (E), less than 1% is federal public land; 13(B), 7.7% is the Bureau of Land Management land; 13(C), .6% is National Park Service land; 13(D), 1.2% is Bureau of Land Management land; and 7.2% is U.S. Forest Service land, and that's in Unit 13(D). The analysis says U.S. Fish and Wildlife Service. It's actually U.S. Forest Service land. That's an error.

So, overall, this proposal does not affect very much federal land at all and -- but the analysis did go through and analyze the C&T uses within Unit 13 for sheep for these communities. The analysis finds out that -- proves beyond any question that the people in these villages did harvest and use sheep in Unit 13; however, since there are no federal lands,

there are very few sheep that exist on federal lands in Unit 13 and there are no harvests of sheep within Unit 13 by these communities. The staff recommendation was to adopt the proposal which would allow these communities to have a customary and traditional use in this area; however, the staff did not recommend that there are any season or harvest limits established. The Southcentral Regional Advisory Council had a strong opposition to this and a strong problem with this. They felt that if there were not any federal public lands where sheep inhabited in Unit 13 and that there were no known harvests of sheep within Unit 13, that we should not give C&T within Unit 13. How they handled this was they recognized -- they rejected the proposal, however, they recognized that these eight Ahtna villages did historically use sheep within this unit. Are there any questions?

MR. GINNIS: Okay. Is there any questions for Bruce? Anyone? So, this is submitted by the Copper River Native Association, right?

MR. GREENWOOD: Yes, that's correct.

MR. GINNIS: And what did you say about the Southcentral people now? Southeast?

MR. GREENWOOD: The Southcentral Regional Advisory Council. They felt strongly that since there were no sheep found on federal lands within Unit 13, and that the harvest use areas of these villages did not indicate that sheep were harvested in Unit 13, that it's not appropriate to have a customary and traditional use determination for federal lands within Unit 13. However, they felt that it's important to recognize that, historically, sheep were harvested by these people in Unit 13. Now, a little more background on that is that, in the past, a lot of Unit 13 -- there were federal public lands administered by Bureau of Land Management there. But with all the land selections and the changes in land status, in 1996, there are very few federal public lands in Unit 13.

MR. GINNIS: I guess I -- the only thing I have to say about this proposal is that it seems to me like there's been

historical use there and I think the -- whether there's hunting opportunities there or not, I don't think it's -- from my perspective anyway, it's not the deciding factor for me. You know, if we're looking at traditional and customary use areas, then -- and there is historical use of it, then that issue that you raised from the Southcentral folks doesn't weigh with me. Go ahead, Jeff.

MR. ROACH: Looking at this, at the inclusion of all of Unit 13 and these specific communities mentioned, they're talking Unit 13 sheep. That's a tremendously large area that goes very far from their, what I would consider their local area and is not typically -- you know, several of these areas don't appear to be typically Ahtna areas. They're getting up into the -- near the communities of Dot Lake, Tanacross, Healy Lake. Maybe Chuck can talk some more on this as far as how much use all of the area, 13, was by those communities which are down in the lower Copper River area. (To Mr. Miller) Do you see what I'm saying? They're talking about use way up here by Dot Lake and Tanacross and all the way over here by ....

MR. MILLER: Well, on federal lands, but there's no federal lands up here. It's kind of ....

MR. ROACH: It just seems like a very large area to me that might have effect on other uses.

MR. GINNIS: Go ahead.

MR. GREENWOOD: If you wanted to review the use areas of sheep by these communities, the maps I have that I handed out earlier would illustrate where these communities normally harvest sheep. If you'll notice -- a brief introduction of the map may be of assistance. The dark areas that are not cross-hatched are the federal lands; the light areas are state and/or other private lands. The harvest areas are the areas that are cross-hatched diagonally. You'll note there that there is some use in Unit 13, but the use that occurs in Unit 13 is not on federal lands. These communities do have customary and traditional use of sheep within Unit 11 and you can also see that they have historically harvested sheep in Unit 11. This

map data is based on a household interview study that was done in 1984 and represents the years 1964 through 1984.

MR. ROACH: The other question I have concerning this is the residents who do not live specifically within these communities mentioned. Those that are outside of these communities are not addressed.

MR. GINNIS: Okay. Is there any more discussion or any questions? If not, then, what's the action of the council on Proposal 20?

MR. ROACH: Mr. Chairman, I make a motion that we do not support Proposal 20.

MR. GINNIS: Okay. It's been moved. Is there a second? (Pause) No second. The motion dies. Go ahead.

MR. ROACH: Mr. Chairman, I would like to move that we recognize that, traditionally, these Ahtna villages listed in this proposal have had sheep harvest in Unit 13, but due to the lack of that opportunity existing because of the lack of federal lands and the lack of recent harvest, I propose that we do not grant customary and traditional to these communities.

MR. GINNIS: Is that a motion?

MR. ROACH: Yes.

MR. GINNIS: Okay. Everybody heard the motion. Is there a second? (Pause) Okay. I guess your motion dies again. Well, let me just try to express how I feel about this, not knowing -- you know, that's one of the difficulties serving on this board, is making these determinations for areas that I'm not even familiar with, you know. And I was going to save my remarks for later, but I think that is part of the breakdown in the process. This is my first experience with serving on this council and dealing with proposals and, I'll tell you, I feel very frustrated with how this whole process works. It seems to me, like I said in an earlier meeting when I first got on this council, that it would be more appropriate for the respective

regions, areas, to make those determinations and then bring them to us. But right now, our -- the way this process works, I have to rely on the information you're providing to me which really doesn't involve the communities involved. I don't know how they feel about this. Apparently, they feel that they're being left out, at least the Copper River Native Association, and those communities. And so in the absence of their testimony or anything like that, it's very difficult for me to make a decision on C&T's like this in this kind of a process. And I brought it up earlier, like I said, last year that we ought to continue this the way we've done it in the past, is to do it by region. We've done that out here in the Yukon Flats through the state years ago. We know where are traditional use areas are and our hunting areas are, but this process just doesn't seem to be -- this is really frustrating how this thing is done, as far as I'm concerned. Go ahead, Randy.

MR. MAYO: Yeah, my feelings are pretty much the same as yours and I have a problem with this C&T process. The only way you get determination is only if the resource is so depleted that there's not enough to go around, you know. Here we're listening to one side saying no justification because, you know, before it's depleted because they don't know and then only when there's a real problem, it's like we get the leftovers after everybody else. Free range, you know. Only then, then the attention of the agencies shifts to rebuilding it, not for us, but to open it up again to cater to other interests. So, I have a real problem with this in the fact that -- you know, I mentioned it before, you know, why are these people putting these proposals in if there's -- there has to be something to it, you know.

MR. GINNIS: Go ahead, Craig.

MR. FLEENER: Yeah, I've just got a simple comment about the ....

MR. GINNIS: Can you state your name for the record?

MR. FLEENER: Yes, Craig Fleener, Fort Yukon. I just -- it seems to me if an organization, a Native organization is

putting in a proposal for something that they claim that they use, I don't see how anybody can say that they haven't used it, even if the animals have disappeared and are coming back or if they've been gone for 100 years. That doesn't mean they didn't use them customarily 200 years ago. I think that any tribe that claims that they used an animal, should still have that right to use that animal and I don't see why someone would make a motion to say we shouldn't recognize their customary use of this animal, especially if they're claiming it themselves.

MR. GINNIS: Thank you.

MR. TITUS: Mr. Chairman?

MR. GINNIS: Go ahead, Charlie.

MR. TITUS: I think that with the feeling of this council in the Tok meeting -- or the Northway meeting, we threw this issue back to the residents of the villages. If anyone could remember when we were Tok -- I mean Tanacross. The same issue came up and we just gave it back to the villages, saying you deal with this and then bring it back to us. So, on this, I feel that even though -- I know this young man here was right. In that order, I move to accept this proposal.

MR. GINNIS: Okay. It's been moved to accept Proposal 20. Is there a second?

MR. MAYO: Second.

MR. GINNIS: It's been seconded. Further discussion? Clarence?

MR. ALEXANDER: Yeah, my name is Clarence. I think you'll have a similar problem in the future here because we had a survey done in Birch Creek years ago, okay, it shows that they have customary CT -- or is it TC?

MR. GINNIS: C&T.

MR. ALEXANDER: C&T. Okay. It shows that they have

hunted sheep up there in White Mountains. Okay? But that area has been impacted by the system that -- Livengood, the roads that are coming down into the hills here. And later on when we asked, hey, we have the right to those sheep, too, but right now they're being depleted, nobody said a damn thing about it. But that's beside the point. I think that someday somebody is going to say, well, Stevens Village, I guess it shows that you haven't been using Dall River; therefore, there's no C&T. You know, you haven't been fishing out there for a while. So, what I'm hearing is that I'm living here, I have been living here, my grandfathers have been living here for God only knows, 30,000 years I'm sure, and yet I'm being told that nobody can determine whether there's C&T for me wherever I've been or where -- can you just say, yes, we recognize there's C&T, but there is no sheep, and there shouldn't be any harvesting of sheep until such time that there is a population increase and that C&T would be in place and it would come back? But right now I think -- is there sport hunters there? Are there guiding services in there? Are there outfitters in there? Are there any other activities going in there? You guys know anything about these? I know you're only talking about -- determine whether there's C&T, but is there any other activity going on there?

MR. GINNIS: Go ahead, Bruce.

MR. GREENWOOD: I think it might be important that I clarify the original agency position on this because I believe we are saying exactly what Clarence is saying. The justification, I will read. It says, "There is excellent evidence that the communities in Unit 13 have customarily and traditionally used sheep; therefore, under the Federal Subsistence Management Program, residents of Chistochina, Chitina, Copper Center, Gakona, Gulkana, Mentasta, and Tazlina should have positive customary and traditional use determination for sheep on federal public lands in Unit 13. It should be noted, however, that there is no evidence that use of sheep by residents of Unit 13 communities occurs on federal public lands. For this reason, the Federal Subsistence Management Program cannot establish seasons or harvest limits for sheep in that area."

Now, if the land status changed or if the population shifted which would allow use of sheep on federal public lands, there would be a season established. So this is what the federal program suggested. When the Southcentral Regional Advisory Council heard what we recommended, they did not agree with us. What they said we should do is we should not even have any identified customary and traditional use down there because there are no federal public lands where sheep live nor are there federal public lands where sheep are harvested. Therefore, they just wanted to recognize that, yes, the people have historically used sheep in this area; however, not to have any kind of customary and traditional use determination regulation established. So I see what you're saying here is very similar to what they enacted -- acted on down there.

MR. GINNIS: Go ahead, Vince.

MR. MATHEWS: Mr. Chairman, if the action you take would be the opposite of what Southcentral did, and I don't know the make-up of Southcentral, but maybe Bruce can enlighten us, that I believe some of the communities that are listed there have representatives on that council.

MR. GREENWOOD: That's correct.

MR. MATHEWS: So, I'm under the assumption that they would be speaking with authority for those communities and they felt that official recognition under the federal program should not happen, as Bruce said in their thing, but they wanted to be on the record of saying that they recognize that traditional use goes on but there's no federal lands.

MR. GINNIS: Well, there's nothing wrong with disagreeing. You know, simply because they went that route doesn't mean that we have to follow their lead. My perspective just simply -- I'm going to vote in favor of this proposal. Nobody here has changed my mind on that. I feel strong about traditional use areas and whether it's still happening or not doesn't matter to me. The fact that they've used it in the past, this is what makes the difference to me. And I don't know how those folks -- I can't speak for those people that are on



the Southcentral council. I don't know where their perspective is coming from, but I don't really care to know that, either. But that's where I'm coming from and I intend to vote for this and I'll just leave it at that.

MR. TITUS: Call for the question, Mr. Chairman.

MR. GINNIS: The question's been called for. I think there is a difference of opinion on this proposal, so I'd like to request a roll call.

MR. MATHEWS: Charlie Titus?

MR. TITUS: Vote yes.

MR. MATHEWS: Jeff Roach?

MR. ROACH: I abstain.

MR. MATHEWS: Abstain? John Starr?

MR. STARR: Yes.

MR. MATHEWS: Chuck?

MR. MILLER: Yes.

MR. SAM: Yes.

MR. MATHEWS: Timothy, yes. And, Randy?

MR. MAYO: Yes.

MR. MATHEWS: And, Steven?

MR. GINNIS: Yes.

MR. MATHEWS: Mr. Chairman, it passes with six for and one abstaining.

MR. GINNIS: Okay. The motion passes. This concludes

all our proposals. That's it, huh?

MR. MATHEWS: Mr. Chairman, we need to go on the record on Proposal 43 to make sure ....

MR. GINNIS: Oh, I'm sorry.

MR. MATHEWS: .... that we're clear on that.

MR. GINNIS: Okay.

MR. MATHEWS: And I need John Starr to validate that. We received a letter from the Tanana Tribal Council saying that they withdrew Proposal 43 which would have closed the Nowitna Refuge ....

MR. STARR: Yes.

MR. MATHEWS: .... to non-subsistence use.

MR. STARR: And I don't know how this -- I think this got with the state and then they said they were going to -- Judy told me they were going to go the way this -- the meeting they had with the state. I don't know how it is rewritten.

MR. MATHEWS: All right. There's a state proposal. I'm kind of even afraid to mention it because it's kind of complex, but it's a registration process. But the main thing is that the submitter of the proposal, ....

MR. STARR: Yes.

MR. MATHEWS: .... the Tribal Council, has withdrawn Proposal 43.

MR. STARR: Yeah, they withdrew that.

MR. GINNIS: Okay. So, yeah, I forgot to -- I'm sorry, I just moved right along here. Proposal 43 has been withdrawn, for the record. Now, if we can move on our agenda. The next item on our agenda is the presentation by the National Park

Service staff on the Draft Review of the Subsistence Law and National Park Service Regulations. I don't want to rush you folks, but I hope that you would, you know, kind of limit your remarks just to the point and I think we'll understand you, so ....

MR. MATHEWS: Mr. Chairman, that's found under Tab 7 in your book, if you wanted to refer to it as Hollis discusses it.

MR. GINNIS: Go ahead, Jeff.

MR. ROACH: Mr. Chairman, did we receive information concerning this from the Upper Tanana/Fortymile Fish and Game Advisory Committee?

MR. MATHEWS: I'd have to look at their minutes. I'm not sure we did.

MR. ROACH: I know that they were drafting a response to this and I was just curious if it had -- if you had received it.

MR. MATHEWS: I'd have to find their minutes on ....

MR. ROACH: I did not see it in their minutes. They were drafting a separate response.

MR. MATHEWS: Okay. If it's not in the minutes, I don't have it.

MR. GINNIS: Okay. Go ahead.

MR. TWITCHELL: Okay. I will keep this brief. I don't even plan to get into the report at all. Simply what this is, is the Park Service decided to take a look again at their own regulations. Keep in mind that it's been 16 years since ANILCA. Our regulations were drafted in 1981. They were drafted before regional councils existed. They were drafted before subsistence resource commissions existed. They were evolved at a period of time when there was very little organized input from local groups, advisory groups, et cetera. For the most part, the regulations come right out of the Act itself where the law is

clear in its wording. The regulations are formulated, but as you well know, there are many components of ANILCA that are vague and sometimes ambiguous and we, in our own regulations, have some areas that are that way as well. Our terms are not always clearly defined and, therefore, there is a lot of subjectivity in terms of how managers interpret and apply those regulations.

Over the years, there's been some disagreement between field managers on how we are managing and how we interpret our own regulations and that's led to some differences on how they are implied. What this is is simply the first step in a process of reviewing those regulations to see where we're on course and where there needs to be some changes. So, this is simply the beginning process and, as such, I don't expect any action on the part of this council at this time whatsoever; nothing more than to inform you that this is ongoing as such. What's included in this paper are some of the key components of the Park Service's regulations. They deal with some general issues regarding subsistence, but focus primarily on eligibility as it pertains to Park areas, to access regulations associated with Park areas, the use and construction of cabins for subsistence on Park areas, trapping regulations, customary trade, use of resources, and also the subsistence resource commissions.

So, those are sort of the main fields that are in this report. What items to comment on are primarily just the action items at the end of the discussions, if you care to comment on them. Are these actions appropriate ones or are they not? Are there regulatory changes needed or are there not? Or anything else you choose to comment on. For the most part, comments are requested to be sent in by May 1st, '96. I know there are several areas - Denali is good example -because of the cycle of meetings and SRC meetings, we've delayed that to a later time in the mid summer. So there's no really hard, fast deadline for turning in comments, but we're looking forward to getting whatever feedback we can certainly by the end of summer.

Again, we in the field, the Park areas, have had some problems with how policies and management have been developed in the Park Service. It seems that much of our policies are

derived from Washington or higher field areas and subsistence users tend to be the last people who provide any constructive input into how these are formulated and developed. So it's hoped by us in the field that this would reverse that practice and bring in comments in some of the earlier phases in looking at our program and try to incorporate them at the early parts of the review. That's all I have to say.

MR. GINNIS: Okay. Once this review for the comments are received, is this coming back to this board for approval or what becomes of this?

MR. TWITCHELL: Well, of course, the Park Service works primarily with their subsistence resource commissions as the primary advisory group to the Park Service. So we play a great deal of importance on what they say and recommend, but we also recognize there are other interests out there as well. So, it's focused primarily towards the SRC's and the local fish and game advisory groups closest to the areas involved, but certainly the regional councils have an important voice to say as well. The Park Service plans to gather these comments and then incorporate them into the work, then we'll come back at a later time, meeting with our SRC's, local advisory committees, and I guess we certainly could come before the regional councils as well. The main point is that this is an ongoing process and it's going to evolve probably over the next year or so, so there's going to be some time to look at it again as we get into the later phases.

MR. GINNIS: Okay. So, are there any questions? Go ahead, Vince.

MR. MATHEWS: Mr. Chairman, as you may know or may not know, you appoint members to the Wrangell-St. Elias Subsistence Resource Commission. It may be wise to request that this come back before you because your commission appointment person probably would want to know where the council stands when this comes back out again.

MR. TWITCHELL: I'd also point out ....

MR. MATHEWS: So it may be wise to request.

MR. TWITCHELL: .... you also -- this council also appoints one member to Denali's Subsistence ....

MR. MATHEWS: Oh, into Denali, also. So you're involved with two SRC's and I know those members usually want to know where they come from as far as the council and where they live, where people stand on it, so ....

MR. GINNIS: Okay. Go ahead.

MR. MAYO: Just one quick question. Last June, Murkowski was taking a hearing on the road, you know, and there was only invited guests only and he was trying to find some things about ANILCA. I know Ted was there and I don't know if you guys, the Park Service, was invited there to -- you know, it was all agency people that was -- I don't know, he was trying to find something wrong with ANILCA to change it, you know. Some of this stuff that -- were you guys invited to testify that time?

MR. TWITCHELL: No, we weren't. The Park Service did organize a comment and sent it to him, I think, in a written comment, but we were not participants. Our problem is that there are some ambiguous terms or not very clear terms within our own regulations, just as you know there are some things that are not very explicitly said in ANILCA itself, and it tends to be those that lead to a lot of confusion and problems. One of the -- I'll only mention one thing here and try not to get into the main text of the report as such, is that the subsistence resource commissions - and their mandate is to advise the Park Service on subsistence programs in the Park - is silent about the Preserves, and we know for a fact Preserves are extremely important to subsistence users as well. It seems to me like they certainly should be advising the Park regarding subsistence in the Preserves as well. That's an example of something that should be expanded.

MR. GINNIS: Okay. Is there any other questions? I guess I would take this as information, right.

MR. MATHEWS: It's mainly informational, as he said, and for discussion, and you did receive copies earlier of it. And if I understand, Hollis, most likely this will be back before you. Is there a time, approximate, when this might be back?

MR. TWITCHELL: As I said, we're hoping to get comments back by some time in early to late summer. Then they'll have to be organized and SRC meetings will need to be called and further refined with public comment. And so it's likely to be sometime -- just about this time next winter before you'd see anything organized again.

MR. GINNIS: So, you will come back here, right?

MR. TWITCHELL: If you would like it, I can. That could be one of your comments.

MR. GINNIS: You won't be here, right?

MR. ROACH: I won't be here. Not that I don't care.

MR. GINNIS: Okay. I was just -- well, what do you guys think? Do you want this to come back?

MR. MILLER: Yeah, I'd like to keep track of this.

MR. GINNIS: Okay.

MR. MATHEWS: So, the feelings of the council is to have this back before you a year from now if the process is completed?

MR. GINNIS: Yes. So, for the record, right, we'd like to have this reviewed by this council whenever you get it completed. But, you know, I must say that this is about the shortest draft paper I've seen and it's easy to read and it's -- the action items, you know, you can just kind of follow along with what's going on with this, your review here. And it's pretty short and understandable. I'd like to thank you for that.

MR. TWITCHELL: Well, thank you.

MR. GINNIS: I don't know if you did it, but I'll thank you anyway.

MR. TWITCHELL: Well, I was on the group that formalized this report and I would say it was not without a lot of strife within our own staff as we struggled on these issues.

MR. GINNIS: Clarence, do you have a question? Maybe he might have a question for you.

MR. ALEXANDER: Yeah. Does this make reference to something like land bridge, "land bridge" on National Park? Would this document here also be the same thing for that?

MR. TWITCHELL: Yeah.

MR. ALEXANDER: Okay.

MR. TWITCHELL: Yes. This just would apply to Park areas statewide, so this would refer to the Bering Land Bridge. I believe it's a National Preserve.

MR. ALEXANDER: So, is it okay to disseminate this information to like, say, Shishmaref?

MR. TWITCHELL: That's correct. This is available to all public, not just subsistence groups, and I guess I would say that I think it's vitally important for subsistence organizations to participate in this since conservation groups have been on this very intensely. So I think your voice needs to be heard as well.

MR. GINNIS: Thank you. All right. We'll go on to the other agencies. Let's see, we just got done with the National Park Service.

MR. MATHEWS: They may have other things to report on. I believe they do, under Agency Reports, and that will be brief.



MR. GINNIS: Okay. We're under Agency Reports. We'll begin with the National Park Service. Go ahead.

MR. GREENWOOD: Mr. Chair and council, I have brought two issues from Wrangell-St. Elias National Park to present to you. Both these issues require a letter of approval or comment and so we would appreciate a motion or recommendation on each one of these. So I thought I'd take one at a time and we could have action on each one separately. There was a Subsistence Resource Commission last week and one issue that they've had out there for quite awhile is to hunt waterfowl within the National Park and what they have done is they've developed a Hunting Plan Recommendation. The SRC's have -- that's one way they work. They do a Hunting Plan Recommendation and submit it to the Secretary of the Interior. In order to do this, they need public comment from other advisory groups and other agencies and other interested people in the area. So, they're requesting a review and comment. And at this time what they'd like to do -- I'll just go through this letter briefly. They'd like to have a fall federal subsistence waterfowl hunt consistent with state season and bag limits within the National Park. Now, in National Parks, subsistence hunting is authorized for local rural residents; however, it's not possible for local residents to hunt under state-authorized migratory bird seasons and bag limits like it is in National Preserves, in refuges and forest service lands. So this recommendation would encourage the Secretary of the Interior to authorize, through his authority, a Title 8 subsistence season and bag limit for waterfowl. So what little explanation -- and I'm not as versed in this as other people are, however, under Title 8, waterfowl hunting is not authorized. Therefore, this would allow an authorization under Title 8 for migratory bird hunting.

In the National Parks, unless it's specified in Title 8, hunting cannot occur in a National Park. So this would allow the local rural Native residents to harvest waterfowl on National Park. They would also like to have the same kind of situation that's existed in Western Alaska where the taking of waterfowl and eggs could also take place. So they would ask in accordance with Section 808 of ANILCA, they would request your

review and comment on a draft recommendation. Right now, they're just in the process of preparing the actual recommendation, but they would like at least an endorsement and maybe possible concurrence to proceed with this and ....

MR. GINNIS: Okay. So you're asking for the council's endorsement of ....

MR. GREENWOOD: Of the Draft Hunting Plan Recommendation.

MR. GINNIS: I just took a glance at this, what is ....

MR. ROACH: The charter.

MR. GINNIS: The charter. And I noticed that there's about three or -- there's a commission with three or four people that serve on it, if that's the way I read it.

MR. GREENWOOD: That's a second issue that we're discussing. The first issue we're discussing is the waterfowl.

MR. GINNIS: Oh, okay. All right. This is a different issue?

MR. GREENWOOD: Yes.

MR. GINNIS: I thought it was related because it was given to me together. So, okay, is there a motion here then to -- I need to get that letter so I can know what the heck I'm talking about here. So, I guess the motion would be to approve the recommendation authorizing a fall federal subsistence waterfowl hunt, consistent with the state season and bag limit?

MR. GREENWOOD: Correct, or concurrence with their Hunting Plan Recommendation.

MR. GINNIS: So is there a motion to that effect? Is this the only copy you had or what?

MR. GREENWOOD: I was only given about three copies, and

excuse me for not bringing more.

MR. GINNIS: See, it's kind of hard to -- without this information in front of us, it kind of holds us up because I have to pass it around.

MR. ALEXANDER: It only costs 25 cents to copy in there.

MR. GINNIS: Yeah. We've got a copy machine in there, by the way.

MR. GREENWOOD: Okay.

MR. GINNIS: A fax, too.

MR. GREENWOOD: Thank you.

MR. GINNIS: Could you just give us a minute here? We'll deal with that issue here. You mean those folks in that area just don't go out and hunt waterfowl?

MR. GREENWOOD: Well, they're not permitted to hunt waterfowl in a National Park right now because of the legislative restrictions.

MR. GINNIS: Oh, so what you're doing here is allowing that activity to occur?

MR. GREENWOOD: Yes, they're petitioning the Secretary of the Interior to change Title 8 which would allow them to harvest waterfowl in a National Park.

MR. GINNIS: And who was that -- what communities would this change affect?

MR. GREENWOOD: This would affect the Ahtna villages ....

MR. GINNIS: Oh.

MR. GREENWOOD: .... and Copper Basin.

MR. GINNIS: Um-hum. Okay. So, have you all had an opportunity to look at that letter? I guess a motion would be in order.

MR. ROACH: Bruce, correct me if I'm wrong, but it would also include those villages of Northway, Tetlin, Tok, Mentasta, Slana, Nebesna, several of those other people as well?

MR. GREENWOOD: Yeah, that's correct. It would include the resident zone communities of Wrangell-St. Elias National Park.

MR. GINNIS: Okay. So, then, what's the action of the council?

MR. MILLER: I move we support this letter.

MR. GINNIS: Okay. It's been moved to support the letter. Is there a second?

MR. SAM: I second it.

MR. GINNIS: Seconded by Timothy. Okay. Is there any further discussion? I hope you know what we mean when we say "the letter." Could you clarify that in your ....

MR. MATHEWS: What I've got here is the letter, but the letter is requesting authorization of a fall federal subsistence waterfowl hunt, consistent with state seasons and harvest limits. That's the intent of the mover?

MR. GINNIS: The motion, right.

MR. MATHEWS: Okay.

MR. GINNIS: Okay. Is there any further discussion? Okay. If not, then all in favor of the motion, signify by saying aye.

ALL MEMBERS: Aye.

MR. GINNIS: Those opposed? Okay. The motion carries. All right. Let's go on to the next item.

MR. GREENWOOD: The next item regards a change to the charter for the SRC for Wrangell-St. Elias National Park. Presently, the charter states the commission reports to the superintendent of Wrangell-St. Elias National Park. What the SRC would like to do would be just to change the wording in there that would say, "The Commission reports to the Federal Subsistence Board, the appropriate federal regional advisory councils, and the superintendent of Wrangell-St. Elias National Park." This would legitimize and recognize the fact that the Federal Subsistence Board system exists, regional council system exists, and that the SRC would therefore also report to these bodies. One concern expressed by the Southcentral Regional Advisory Council chairman was that they feel this would allow them to have more flexibility whereas in the past, if they had a problem with the superintendent, he would stop things before it got very far. This way they felt this would give them another opportunity to route their recommendations and requests through. So what they would like is just a similar recommendation, just supporting this change to their charter.

MR. GINNIS: Okay. Is there a motion to that effect, supporting the change in the charter?

MR. ROACH: I'll make the motion.

MR. GINNIS: Okay. It's been moved. Is there a second?

MR. MILLER: Second.

MR. GINNIS: Seconded by Charles. Is there any further discussion? If not, then all in favor of the motion, signify by saying aye.

ALL MEMBERS: Aye.

MR. GINNIS: Those opposed? Okay. The motion carries.

MR. GREENWOOD: Thank you.

MR. GINNIS: Thank you. You're done, right? All right. We'll go on to the Fish and Wildlife Service.

MR. KURTH: Ted is going to have a couple comments, but I want to see if I can give the shortest agency report. I basically just wanted to say how glad I was to see Mr. Timothy Sam from Arctic Village on the council. I'm glad to see somebody from the Northern front there, and he's been very generous with his advice and very polite and helpful to me, and I'm glad you're with this group. And, also, I just wanted to recognize -- I know there are several people on this council that have been involved in the last year in helping to fight to protect the Porcupine Caribou calving grounds and I really appreciate the help and support with that, and thank you all.

MR. GINNIS: Thank you. We're going to continue the battle on ANWR.

MR. KURTH: Appreciate you doing that.

MR. HEUER: Mr. Chairman, I know it's been a long two days and people are getting ready to leave. David James and I are here to answer any specific questions that people might have about the Yukon Flats. We're not going to prolong the meeting with formal comments.

MR. GINNIS: Okay. Thank you.

MR. ROACH: They beat you, Jim.

MR. GINNIS: That was very short. Thanks. Well, you know, we grilled you already anyway, so -- appreciate your help. All right. The next one is the Alaska Department of Fish and Game.

MR. STEPHENSON: Thank you, Mr. Chair. Just a couple items, I'll also try to be brief. One thing, to get back for a minute to what we were talking about yesterday with moose

management, I'm glad Clarence reminded us about something and just to leave an idea here. Back in the mid and late 1980's, there were kind of two moose management plans or efforts at public involvement in moose management, one for 25(D) East and one for 25(D) West. And they involved circulating and gathering public comments on what people -- which direction people wanted to go with moose management and they're fairly brief, but they listed a few options. And one was to try to increase the 25(D) East population, the one we talked about yesterday, to 3,700 from where it was at that time of about 2,000 so that we could have a harvest of about 250 moose instead of somewhere in the vicinity of 110. So, what we could do -- between area biologists changing and times changing, I guess these have sort of been forgotten. But we could pick these up and start with them and work with local people, and I know the Fish and Wildlife Service is interested, to go ahead and develop a fresh plan and we'd be delighted to do that. So we do have a start there.

And then the other thing I'd like to mention is, I don't know where he went, but we have a college intern here in Fort Yukon, Craig Fleener, who spoke a little while ago. He's in his second year at UAF and he's been involved in -- these intern positions are mostly to help students get through college and get a lot of experience in the field. So, Craig's been working with us part-time on a variety of things, including some moose management issues, helping with moose surveys. A lot of different things. So, that's what he's doing at the moment and I hope he'll be involved here on the local scene for a long time. So, that's all I have unless you have questions. Thank you.

MR. GINNIS: Thank you.

MR. GARDNER: I've got just a couple of issues myself, and one of them is kind of maybe a little rebel-rousing, but you know I'm from Tok and the Upper Tanana Advisory Committee is fairly active, you know, in trying to get proposals to you guys for subsistence, and we -- I know they put in like five proposals this time. Well, four of them didn't make the book and they asked me to, you know, inform you guys or ask you guys,

you know, how are proposals decided upon to be added for you guys to decide on. Because even -- you guys just voted for Unit 12 waterfowl subsistence hunt, but -- and Jeff asked if Tok and Northway and Tetlin were going to be included, and it's true, but they're not C&T for waterfowl in Unit 11. They're not a recognized resident community for the Park. And so my question would have been, Do you guys know which proposals that you don't get to see? Another one was a C&T classification from Northway, Tok, and Tanacross for sheep in Unit 11. I mean, even Lee Titus has to get a special permit to hunt sheep there and -- but yet you guys didn't get a chance to look at that proposal and decide upon it. I mean, to me, it seems that you guys should be able to see or know which proposals you get to vote on and which ones you didn't get to see. And the users asked me to kind of bring that forward for you guys to recognize.

MR. GINNIS: Okay. Let me stop you right there. Go ahead, Vince, can you -- I can't respond to that. You know, I don't know how the process works.

MR. MATHEWS: I wish I knew how it worked, too. Basically, what was going on there is we had an open call for proposals, including customary and traditional use determinations, and during that process there was basically two camps. One camp was to have all proposals go forward and if there wasn't enough time or information to do a full analysis, let the public process test it and have the board, whatever, defer for more information. The other camp was to just put forward what proposals we could actually handle with the existing staff and resources. And that is what has happened. The proposals that Craig mentioned were deferred. I do have them -- I hope I have them here. Yes, I do. I have copies of them here of the ones that are deferred. That's pretty much how it was done. You weren't misled by it. It was in the Federal Register that when they went to the annual process, that the -- for C&T determinations, that will be dependent on resources, staff availability, and other factors. There may be someone else here from the management team or leadership team in our office that could further expound and explain what we went through, this deferral process.



MR. GINNIS: Okay. Sue, go ahead.

MS. DETWILER: As Vince mentioned, after having several years in which the board did not deal with C&T proposals. We developed a pretty big backlog of C&T proposals to deal with when we first decided to start doing them on a yearly process last year. So, in anticipation of having too many to deal with all at one time, we asked the regional councils last fall to prioritize which C&T proposals that they -- the C&T proposals for their regions. Each of the regional councils, in other words, were asked to prioritize the C&T proposals within their regions, the backlog of those C&T proposals. I was at this council's meeting last fall and this council didn't prioritize any proposals. They chose not to and wanted to wait for the villages to have some say in how those proposals were prioritized. So, since the council didn't prioritize them, as the process went on, we knew that we had to cut back on some of the C&T proposals. So the first criteria that we used was to defer some of the -- defer the proposals that would have had the least impact on subsistence users and after that the second criteria was just -- was based on the amount of staff time and board time that it would take to deal with the proposals.

MR. GINNIS: Thank you. Yeah, I understand your view on this issue. Personally, I -- you know, if I had to arrange this agenda, this particular agenda, I would have dealt with these proposals earlier on like yesterday afternoon, you know, rather than starting it in the evening and then going through it half a day. And I also agree that all proposals ought to be brought to our attention. You know, the only other thing is maybe there are some proposals that may be similar in nature; then, maybe we ought to look at, you know, kind of putting them together, combining them maybe. But in terms of these proposals that you're talking about that we never even had an opportunity to look at, I don't think it's fair to us -- and I'm just speaking for myself; I'm not speaking on behalf of this council here. But speaking for myself, I would prefer to see them because these C&T's are very, very important as far as I'm concerned and to leave that decision up to somebody else within the agency to defer or whatever criteria they use to determine those things, I don't think is appropriate. That's just my point of view, and I

appreciate you bringing this to our attention. Is there any more discussion on this matter?

MR. TITUS: Yes, Mr. Chairman. I do agree with you. I think there's a hidden -- something is hiding from us and I don't think it should be like that. If there's something we should address on all proposals, I think this council should see it.

MR. GINNIS: And the last thing I would like to say is we really do need to spend time on these issues. You know, we've been kind of rushing things along because of the way the agenda has been set up. So, you know, I'm on this council and so I guess I should have more say in how this agenda is developed. That's part of my fault, I guess. But, I guess what I'm saying is that if we had a whole day just to deal with proposals, we can, in fact, deal with everything that comes before us, you know, and make those determinations. I mean, that's the way I feel about it. I know it's going to be time-consuming, probably, and it's going to take a lot of people's time, but that's part of what we're here for. Go ahead.

MS. DETWILER: I just wanted to reiterate that the proposals were presented to the council at the last fall meeting.

MR. GINNIS: Yes.

MR. MATHEWS: That needs to be ....

MR. GINNIS: I wasn't there.

MR. MATHEWS: .... clarified because that's where the confusion, coming fall, will happen. You had all the proposals before you at the last meeting that were requested early on in the program. The ones that you do not have in front of you or did not have in front of you were the ones that were submitted this last round. And we will be back before you this fall to ask on how to prioritize both the backlog C&T requests, the ones before last year and the ones that were deferred. And I hear you strongly that we need to get these before you, but what we

need, as a staff, is direction on how to prioritize these so we can really dig into those backlog, whatever, requests for proposals, so you're already hearing the next fall's agenda.

MR. GARDNER: I just have one more thing and that's more of a request now, is that we gave a Fortymile presentation earlier, this time and the last couple of times, and, you know, I mentioned that we're going to the Board of Game with the harvest portion, you know, of the plan. And I was hoping that possibly the council could write a letter of endorsement, you know, that you would send not only to the federal board but also to the State Board of Game, you know, expressing your acceptance of the harvest portion of the plan and the plan itself and that you recognize that, you know, we talked to the subsistence users and they also were in agreement of it. I would appreciate if you could do that.

MR. GINNIS: You mean the council action is not sufficient enough? I mean, we supported the plan, we approved the plan.

MR. MATHEWS: But the audience of your action right now is the Federal Subsistence Board and he's asking that you broaden your audience to be the State Board of Game. The action that was directed to me was to write a letter for the Federal Subsistence Board which is waiting here for the signature of the chair, so I may get your signature as vice chair, but I didn't put together a letter for the Board of Game because it wasn't part of the direction of the council.

MR. GINNIS: Go ahead, Jeff.

MR. ROACH: Mr. Chair, I'd like to make a motion that we write a letter of recommendation for the Fortymile Caribou Management Plan to the State Board of Game.

MR. GINNIS: Okay. It's been moved. Is there a second?

MR. MILLER: Second.

MR. GINNIS: Second by Charles. Is there any discussion

on the motion? Okay. If not, then all in favor of the motion, signify by saying aye.

ALL MEMBERS: Aye.

MR. GINNIS: Those opposed? Okay. The motion carries. All right.

MR. GARDNER: Thank you, Mr. Chair.

MR. GINNIS: Anything else? All right. Thank you. Next is the Bureau of Land Management. Anybody here ....

MS. GRONQUIST: I just want to thank you, too, for being willing to write that letter of endorsement because the Bureau of Land Management supports this plan and we want to see -- we're eager to see it be implemented. So, thank you for your support on that. I don't -- I'm in the same boat as Fish and Wildlife Service. I don't have a formal report for you today, but if you have any questions for me, I'd be happy to take them.

MR. GINNIS: Yeah, I do have a question for you. I don't know if you're familiar with this proposed road that's coming in south of us here, on the other side of the White Mountains.

MS. GRONQUIST: Are you speaking of what is referred to as ....

MR. GINNIS: The 16-mile ....

MS. GRONQUIST: .... the Gateway Project into Nome Creek?

MR. GINNIS: Is that where it is?

MS. GRONQUIST: It would come off of the Steese Highway.

MR. GINNIS: Yeah, I guess that's what I'm referring to.

MS. GRONQUIST: I'm somewhat familiar with it, yes.

MR. GINNIS: Do you know what the status of that project is?

MS. GRONQUIST: The contract for the road to be built was let last fall and the road, some of the clearing work, began over the winter. I don't believe that all 13 miles of the road will be completed this summer. They're doing some portion of it. The road will be along Nome Creek which goes off of U.S. Creek Road at 60 Mile Steese Highway. It was a recreation project and it's funded by ICE-T monies which are federal dollars, federal highway dollars given to the State of Alaska. And it's -- the intent of the recreation part of BLM was to give -- provide more opportunity for recreation within that Nome Creek Drainage and to make it so that people who wanted to float the river didn't have to pull their rafts from where the tailing road ends so far before they could actually float.

MR. GINNIS: Okay.

MS. GRONQUIST: I'm aware that -- I believe the Stevens Village Council and the Fort Yukon Village Council wrote a letter to the governor, is that correct, ....

MR. GINNIS: Right.

MS. GRONQUIST: .... with concerns about it.

MR. GINNIS: We weren't aware of this proposed project and even though it's to the south of us, it can have a potential impact. Okay. And that's where we're coming from in our letters, is that we're opposing the development of it. But from what you're saying, it already has pretty much been -- well, I guess I shouldn't say it's been -- they're beginning to work on it, but that's where we're coming from. And the way I caught wind of this thing was when the governor put out this 10-year road plan, you know, for roads and that's where I caught wind of it. And it's really unfortunate that we're not consulted by your agency on this issue. You know, let's be a little more sensi- -- we're very sensitive to road building and the impacts. We know the impacts that those type of projects can have and I

guess I just want to tell you that in the future, even though it might seem like we're out of that area, the potential impact is still there for us and it greatly concerns us. And to move on with a project like this without consulting some of the people that it may affect is not appropriate, as far as I'm concerned.

AUDIENCE MEMBER: The bottom line is we don't -- we don't want it.

MR. GINNIS: Okay, Randy, go ahead.

MS. GRONQUIST: I ....

MR. MAYO: Yeah, to explain, our position is the same as yours. You know, I read about this project in the News-Miner, you know, and this process is backwards. We find out about these things through the media after they're well underway. So I brought it to the attention of the CATG Board and the director wrote a letter and my village council wrote a letter, you know, asking what's going on here. Representative Nicholai had a meeting with the DOT Commissioner Perkins and she sent me the response. Perkins sent her -- and the involvement that they claim that we were intimately involved with the project from the very beginning through the Northern Advisory -- BLM Northern Advisory Citizens Committees, and those meetings were held everywhere else but the village and the amount of information presented was so small that even you were attending the meeting, you wouldn't even know how this is linked to our area. And the people that they named claimed that represented us was everybody else from the village except one person who is the manager of our village corporation. Well, the corporation -- the village corporation and the tribal government are two different things that you people don't understand. You know, so this is how they claimed we were intimately involved from the very beginning which is -- you know, you can see that that's not direct involvement, you know. They never came to the village and held hearings.

And this is related to my own concerns down in the Pipeline Corridor. The agencies with their term "federal public lands" and for access for recreation is -- you know, I've seen

this over and over and over. The agency has this mentality if you will build it, they will come. One step justifying the next. So, we have a 16-mile road punched in and then at the end of that road, it gets crowded and overused and then they come in and say, huh, these people need more room, let's extend it. Pretty soon, before you know it, it's running through your backyard. You know, this recreation industry, you know, the reason why these things are done is for economic benefit, and I mentioned this yesterday. We're helping keeping the urban economy alive and well and this is what we get in return. We're not even considered, you know. Down on the Haul Road, they want to turn it into a big Disneyland so people can come up and recreate while we're still making a living off of that land. You know, like what are we, paupers on our own land? This is something you people don't understand. You know, I don't approve of these activities that this bureau is engaged in, you know.

MR. GINNIS: Okay. Is there anything else?

MS. GRONQUIST: All I can offer is that I know the process began a long time ago before I was with the Bureau of Land Management and it's not something that just came up in the last few years, and that it is unfortunate that the process didn't perhaps go the way it should have. And I know there's a lot of frustration with it, that ANILCA established the White Mountains National Recreation Area as a recreation area. I would suggest that if you want to have some -- do you feel like you want to have some further input with -- you say that there's been contact with DOT?

MR. MAYO: Yes, we're dealing with it.

MS. GRONQUIST: Okay.

MR. MAYO: I know you're just the messenger. But we're going to have a meeting with the state director here next week, you know, on some of this stuff and, you know, other things if he's available that whole time.

MR. GINNIS: Thank you.

MS. GRONQUIST: Thank you.

MR. GINNIS: Okay. Any other agencies here that would like to -- okay. If not, then we'll move on with our agenda. The next item is the Regional Council Charter Review and Approval.

MR. MATHEWS: Yes, Mr. Chairman, you'll find your charter and review materials under Tab 8 and I think -- do look at it, but I'm going to go through it pretty quick. This is your actual charter that's signed every -- I think it's two years. It's up now. What you can pass a recommendation on with adequate justification, is you can go for a name change, a boundary change - and this is all on page 2 of that material under Tab 8 - the size of the regional council membership, specific Subsistence Resource Commission appointments, and criteria for removing a member. Those are the ones that you can change. As we talked earlier in the meeting, you requested under a staff committee solicit of information that you wanted alternate members. This would be the time to ask to have in your charter which is the last two pages of that section in there, that there be alternates. And the charter will go from here to the Federal Subsistence Board and then on up to signature by the Secretary of Interior. So, that's -- I can go into more detail on it, but the areas where you can have input are those that I listed.

MR. GINNIS: Can I ask you a question on this one on ....

MR. MATHEWS: Sure.

MR. GINNIS: .... page 2 of the charter. No. 5, appoint one member of Denali National Park Commission -- Subsistence Commission ....

MR. MATHEWS: Right.

MR. GINNIS: .... and one of this -- can you explain that to me? What's ....



MR. MATHEWS: Okay. On the ....

MR. GINNIS: Appoint them to this board? Is that what it means?

MR. MATHEWS: Yes, this commission here appoints one member to the Subsistence Resource Commission for Denali and I think I'll get this correct, but the Park Service can correct me, there are three done by the governor of Alaska, three by the Secretary of the Interior, and three by the various councils. And you got one for Denali and you do one member for Wrangell-St. Elias, and they need to be a member of this council or a member of a local advisory committee to qualify, and they serve at your pleasure on those commissions.

MR. GINNIS: All right. Thank you. I guess I misunderstood it. All right. Are there any questions on the charter? I guess the issue here with this charter is this thing about alternate members.

MR. MATHEWS: Correct.

MR. GINNIS: And your recommendation on alternate members was what? You said that those were in the meeting?

MR. MATHEWS: The history of the alternate member for this council was based on information you received from Western Interior that asked for alternate members. It's not well-defined, but in their action they just kind of mentioned there would be alternates available to fill in when someone could not make it, but they did not make it clear and your action also did not suggest that if there's nine members, there'd be nine alternates. There was just a discussion that there would be alternate members. And as I mentioned earlier, when the federal board looked at increasing the size of regional councils, they did look at alternate members, but they took no action on that. So, if you desire alternate members, this is your to enlighten the board to your feelings on having alternates.

MR. GINNIS: Well, this thing about alternate members

costing additional money, I don't think that's so -- you know, we're all -- we're only talking about these folks filling in when we can't make the meeting. So there's no additional costs here.

MR. MATHEWS: There would be additional costs. To be honest with you, there would have to be some kind of training and some other costs, but even the costs of adding additional members, which I don't have in front of me, was quite low in the whole cost of the whole program. So, the question is, do you want alternates? And some kind of structure of alternates, how would you do that? The other issue that comes up out of that is what you've made a strong discussion about is responsibility back to some entity or area. Alternates may not have that level of responsibility back if they represent half a region or something. So that is another factor you need to look at.

MR. GINNIS: Okay. I'd like to turn the meeting over to Jeff. Mr. Chairman, I'd like to move that our charter reflect alternate members of the nine. So moved.

MR. ROACH: We have a motion on the floor. Is there a second?

MR. TITUS: I'll second it.

MR. ROACH: The motion has been made and seconded. Discussion?

MR. MATHEWS: Did you say nine alternates?

MR. GINNIS: One for each person here, yeah. Isn't there nine of us on this board?

MR. MATHEWS: Yes, I just ....

MR. GINNIS: Okay.

MR. ROACH: Any other discussion on the motion?

MR. GINNIS: There might be some question about how

we're going to determine alternate members.

MR. MATHEWS: Right.

MR. GINNIS: In my -- here at least in Fort Yukon we have a, what do they call it, subsistence ....

MR. ALEXANDER: Yukon Flats Fish and Game Advisory Committee.

MR. GINNIS: No, no.

MR. ALEXANDER: Oh.

MR. GINNIS: No, I'm talking about the Native Village of Fort Yukon. We have people that are involved that designate it to -- that's involved in subsistence-related issues and as far as the Native Village of Fort Yukon, if I'm unable to make this meeting, I would appoint one of those people to attend. That's how it would work here. I don't know how it would work in your community.

MR. MATHEWS: Mr. Chairman, on that, I need to advise you that it's only the Secretary of the Interior with the concurrence of the Secretary of Agriculture who can appoint members to the council. So, what I'm going to say to you is if this passes and it's approved, then we would be recruiting for three -- well, you'd be recruiting for nine more members plus the three seats that are open and they would all have to be approved by the Secretary of the Interior.

MR. GINNIS: Can you make this damn thing simple?

MR. MATHEWS: I have no comment on the simplicity.

MR. ROACH: Is there any other ....

MR. GINNIS: So in order to establish these alternates, we'll have to come up with a list that will have to be approved by the Secretary of the Interior in order for them to fill ....

MR. MATHEWS: Right, they would all have to -- if I understand the process now, they'd all have to fill out applications and go through, be ranked, and then if they fall into the ranking of a high enough number and they did happen to come from Fort Yukon and you could not make it, then they would be selected.

MR. STARR: Mr. Chairman?

MR. ROACH: Yes, John?

MR. STARR: I see the names on this -- if you look in the back here, are these guys already -- have they already been approved by the Secretary?

MR. MATHEWS: No, the list under Tab 10 of all the applications ....

MR. STARR: Oh, that's just applications? Okay.

MR. MATHEWS: Right. Those are just people that have applied; they have not been reviewed or approved.

MR. ROACH: If you look under Tab 10 of the books that we have up here, the list of the applicants, ....

MR. STARR: Yeah, that's what I was looking at.

MR. ROACH: .... there -- at this time, there are only eight applicants in the process. If -- these alternates would have to wait until more applicants were received, is my understanding of how it'd have to work.

MR. MATHEWS: Right. Because of the names and because of this process. I don't want to defer you any way from your idea of alternates; I'm just advising you on how it would work.

MR. ROACH: Any other discussion?

MR. GINNIS: Call for the question.

MR. ROACH: The question's been called. All in favor of the motion, signify by saying aye.

ALL MEMBERS: Aye.

MR. ROACH: Opposed? The motion passes.

MR. GINNIS: Thank you.

MR. ROACH: I pass the chair back to Steven Ginnis.

MR. GINNIS: All right. Thank you. Now, that was a motion. Now, we would -- we still need to entertain a motion to adopt this charter.

MR. TITUS: Move to adopt, Mr. Chairman.

MR. GINNIS: It's been moved to adopt. Is there a second?

MR. MILLER: I second it.

MR. GINNIS: Seconded by Charles. Is there any discussion? Okay. If not, then all in favor of the motion, signify by saying aye.

ALL MEMBERS: Aye.

MR. GINNIS: Those opposed? The motion carries. Okay. The next item is the discussion of local involvement of local advisory fish and game committees with the regional council.

MR. MATHEWS: Yes, Mr. Chairman, this is basically a request within the office to look at what level the regional councils want to interact with local advisory committees. You've been on record, or I should say this council has been on record at least three times that I know of, of having a good, strong working relationship with the local advisory committees. So why this is on the agenda now is, one, to reaffirm that; and, two, come fall, a staff person will be looking at alternate schedules to see how we could maximize involvement of local

advisory committees. As you know, many of you serve on those committees. That schedule sometimes doesn't match this schedule because you're answering to Board of Game meetings and Board of Fisheries meetings. So I think what we're looking for here is affirming of your position that you support having a very strong working relationship with local advisory committees.

MR. ROACH: Mr. Chairman?

MR. GINNIS: Yes.

MR. ROACH: I would like to say that we have had a very good relationship with the local fish and game advisory committees within our area and that I believe that they provide us a very good avenue of information and local knowledge about the areas that they are involved in.

MR. GINNIS: So what's the council's action on this? Is there a motion or ....

MR. MATHEWS: I don't know if a motion is needed. I think what I've heard is -- unless others have disagreements with what Jeff has said, that could be carried forward to the staff person and then when you're exposed to these schedules and options this fall, you can take more of a motion action. It's up to you. Motions are stronger than what I've just laid out.

MR. GINNIS: Okay. Well, if there's no objection from the rest of the council members here, let the record reflect that we reaffirm our working relationship with the state advisory fish and game committees. So, with that, if there's no more discussion, we'll move on to the next item which is the Regional Council Member's Nomination Update.

MR. MATHEWS: Mr. Chairman, we've pretty much covered that, but that's Tab No. 10. That lists all the people that have applied to this point that we know of. Some councils take action and support particular individuals; other ones just look at it and their own organizations or on their own, they pass on letters of recommendation and reference. So that's pretty much it. I did want to point out -- I think Jeff said it, I hope he

has the right count, that there were eight people that have applied. I would hope this council will seriously look at that at future times to talk to others to make sure that additional people apply to have a larger pool to select from. That's it for Regional Council Member Update. They ....

MR. GINNIS: Almost done.

MR. SAM: I know it, but ....

MR. GINNIS: Okay. So there's no action there?

MR. MATHEWS: No.

MR. GINNIS: Okay. We'll move on to the next one. It's the Review and Comment on the State of Alaska Summary of Possible Alaska Solution to the Subsistence Impasse.

MR. MATHEWS: Mr. Chairman, that's under Tab 9. I don't know if there's a State of Alaska person here to present the actual Solution to the Subsistence Impasse document. Seeing none, there was a chance that the early discussion with -- the lieutenant governor's office was sending out people and et cetera, that's why I'm allowing them to summarize. What you look at on that is on page -- and I never can find it quick enough. One of the pages -- oh, there it is, it's on page 5. If you have further comments and questions, you're encouraged and should mail to Juneau, Alaska, the address it's on the end of page 5, to the lieutenant governor before March 1st, but I think their deadlines are flexible. If you feel strong about what's in this document, you should probably send it to that address. There's no staff here that's qualified to summarize this report.

MR. GINNIS: When are the -- what is the deadline for comments on this?

MR. MATHEWS: It's March 1st.

MR. GINNIS: Oh.

MR. ROACH: Missed it.

MR. MATHEWS: But I think that they would listen. The other thing I need to point out which, in the absence of the chair here, put us in a little odd position, we do have a letter from the Southeast Regional Council. They went into this in detail. It was to be provided to the chair. I've exposed it to Jeff when he was acting chair. I have extra copies of that letter from Southeast if you want to look at it. But they formed a subcommittee and spent a half a day on it and drafted their comments.

MR. GINNIS: Well, it would have been nice if we would have been able to meet early enough to, you know, go through this thing. This is kind of a very lengthy kind of a document, and I understand the importance of it, but there's nobody here to go through this thing. Besides that, it's -- the comment period has passed, so I don't know. Go ahead, Randy.

MR. MAYO: When I first heard about this coming out, I called up the lieutenant governor and had a long talk with her on this, you know, expressing my views and, I don't know, maybe this council should -- it's a -- I didn't even have time to read this thing, either, you know. I don't know how to get our views in yet, you know. Something as important as this, you know, that affects our lives, you know. Do it individually or does it come from the council or ....

MR. MATHEWS: Mr. Chairman, maybe assistance would be just to provide you copies for your own use of what the Southeast did on that and then as individuals -- I know the deadline has passed, but this -- the way I understand it, it is the second working draft and there will be other drafts of it so, you know, they may accept your comments. So it's up to you if you want council members to have the Southeast -- they did a very thorough review and I'll leave it at that. You will get the feel from it very quickly in the first couple of paragraphs.

MR. GINNIS: Okay. Clarence?

MR. ALEXANDER: If I was sitting up there, I would ask



the federal agencies what their response is to this. But I would like to take this and take it to our village council and have our legal counselor go over it.

MR. MATHEWS: If that was directed to me, I don't know of any federal agency response ....

MR. ALEXANDER: I was directing it to the board.

MR. MATHEWS: Okay.

MR. ALEXANDER: But my response to the agency is, I don't know, there's numerous -- if there's no comment, that's fine. I'm just trying to ....

MR. GINNIS: You know, when would we get back together again? Do you know? I know it's on the agenda here, but approximately when are you talking about meeting again?

MR. MATHEWS: October.

MR. GINNIS: Oh.

MR. MATHEWS: And this is the -- let's be clear on this: This is a state initiative on this issue.

MR. GINNIS: I understand that, but it also affects us.

MR. MATHEWS: Correct.

MR. GINNIS: This here, any way that we could have a special meeting?

MR. MATHEWS: We can put in a request for a special meeting. Yes, we can put in for it. I don't know how it would be received, but we can go ahead if that's the wishes of the council.

MR. GINNIS: I'm just exploring things here, but I don't know if that's the wishes of the council, but, you know, I'd like to have somebody from the department or somebody from the

state to kind of go through this thing, you know, so I can have a better understanding of it. I can't take no position on something that I don't understand. For all I know, it might not be in the best interest of people, you know, of the users.

MR. ALEXANDER: I can tell you it's simple; it's going to eliminate this process, is what it means. It's that simple.

MR. GINNIS: So, anyway, I don't know. What does the council feel on this? I know that the comment period has already passed, you know, which was the 1st of March. The only other thing I can think of is maybe request a special meeting just so we can get a little education on what's all in this thing. Or we can all individually through our respective village councils and however else we want to do it, we can do it that way, too. Do our own reviews. Go ahead.

MR. ROACH: If we want to respond as a regional council, then as regional council members we need to remember we need to do that in a forum of a regional council meeting.

MR. GINNIS: Okay. Is there any direction on this from anyone? If not, I can move right on to the next item.

MR. ROACH: I agree that -- I think that a special meeting with a representative from the lieutenant governor's office and the Department of Fish and Game would probably be the most effective way for this council to address this issue.

MR. GINNIS: So I think a motion would be in order to do that.

MR. MATHEWS: It would help with a motion. Without the state being here, I don't know their time lines for another draft. So that's another thing that would be considered. What I mean by that is it's kind of fair to say that they're testing the waters with these -- this is their second draft here; that maybe the waters have -- will have changed and there may not be a third draft. I don't know without them being here. And I understand it affects subsistence and it affects subsistence on other areas, but I'm going to need ammunition to justify

expending funds for a special meeting. Give me fuel to ....

MR. GINNIS: Hey, you're on your own there. You put it on the agenda. I mean you must have put it on the agenda, so you're on your own there. I mean all we're -- I mean if there's a motion here, that's our direction. You know, ....

MR. MATHEWS: No, I understand.

MR. GINNIS: All right. So, anyway, what's the action of the council?

MR. MILLER: I move we try and get this special meeting held.

MR. GINNIS: Okay. It's been moved. Is there a second?

MR. SAM: I second.

MR. GINNIS: Seconded by Timothy. The motion, just for clarification, is to request a special meeting to review the Summary of a Possible Alaska Solution to the Subsistence Impasse. Okay. Everybody understand the motion? All in favor of the motion, signify by saying aye.

ALL MEMBERS: Aye.

MR. GINNIS: Those opposed? Okay. The motion carries. So we'll have a special meeting next month?

MR. MATHEWS: Well, that's what I was going to ask you. What are we looking for to pull this off? I'm not being flippant on that, I need to know. Fishing, the ice goes out, et cetera, and it's hard to get a hold of people and different things.

MR. GINNIS: The ice don't go out till May.

MR. MATHEWS: Okay.

MR. GINNIS: Unless this weather keeps up, it might go

out in the middle of April.

MR. MATHEWS: No, I mean seriously, when would you guys think about having ....

MR. GINNIS: The process that you have to go through ....

MR. MATHEWS: I have no idea, but I think I'll find out real quick when I get back to the office.

MR. STARR: I can wait for that.

MR. GINNIS: Well, I guess I would -- you know, not really knowing how this is going to come out, maybe we ought to leave it up to you and the chair. Once you find out whether the funding is there and then set up a date and we'll -- of course, give us advance notice. Okay?

MR. MATHEWS: Sure.

MR. GINNIS: Okay. Moving on with our agenda then. Other New Business. And the two items that's on here is guiding on public lands and the other one was something to do with traditional knowledge, I think we were talking more like co-management or something like that. I don't know. Randy requested that, I believe. But anyway, go ahead.

MR. MATHEWS: Mr. Chairman, I've talked with several council members, including yourself. These are very important topics. The fall meeting, as you know, we've been kind of gearing it as a planning/proposal development meeting. Both these topics could be better addressed at your fall meeting to explore. Now, what's the risk about deferring to fall or having it fall? Not much, but the fact that in fall is when we develop proposals - you, public, agencies - develop proposals. If out of this meeting in fall, we come up with tools and ways of incorporating traditional knowledge, it could be applied during the analysis. If we give more direction on how to develop more on cooperative management, we would be in the same cycle. Guiding operations on federal public lands. I don't know how to

answer on that by delaying till fall, what effect it would have to wait to discuss that issue till fall. But the other one I think we could have working -- well, we had a representative here from the university. We could pull in different people to assist in the discussion on incorporating customary and -- I mean traditional environmental knowledge and co-management. Guiding? You'd have to -- I don't know what we'd lose by deferring to fall, if anything.

MR. GINNIS: As far as the guiding is concerned, you know, you wait till fall, that will be after the hunting season. You know, I guess that's the only thing I can think of. I guess I'm the one that requested this to be on the agenda and, like I said at the beginning of this meeting, I'm concerned about the guiding services that's occurring in this refuge and that goes in line with the other issues of waste of meat and all that. It's related to all this issue. And I would really, seriously would like to address this in some way, either through stronger enforcement of it, more visible staff out here. I don't know how to address it, but it's something that needs to be discussed. And like I said earlier in the meeting, at the beginning of this meeting, I just don't think that guiding services is consistent with this idea of our rule -- our subsistence preference or priority. You know, it seems to me it's more of a -- you know, in a way, it's intended to make money and I don't think we want to manage our resources in that way. And I guess that's the issue that -- as far as I'm concerned, that's the way I would like to address it.

Now, even if we waited till fall or even if we had a meeting prior to the fall, I don't know if it'll make any difference, you know. But it's something that's going to take time, like you said, and I think we really need to put some time aside to really discuss it and look at the pros and cons of it. So, I don't know what the feeling of the council is, if you want to hold off till fall or what. Go ahead, Randy?

MR. TITUS: Hold a special meeting.

MR. MAYO: Well, this -- I was the one that requested the co-management discussion. I think it would be better to

defer it to the fall meeting and it's not something you can talk about in a half hour. It's going to entail a lot of discussion, so I would like to defer that to the fall meeting, you know, and dedicate at least half a day to it, you know. Make it real, you know, not just talk.

MR. GINNIS: Okay. So at the -- I guess a motion would be in order, then, to defer these two items to our fall meeting.

MR. MILLER: So moved.

MR. GINNIS: It's been moved. Is there a second?

MR. STARR: I second it.

MR. GINNIS: Been seconded by John. Is there any discussion on the motion? Okay, if not ....

AUDIENCE MEMBER: Yeah, the big game hunters, you know, it's happening in Africa. Now the big game hunters come to Alaska. What did they do to show for Africa? They depleted all their animals. Now they're coming up this way. This where big money. That's baloney.

MR. GINNIS: Well, we're talking about addressing that very issue.

AUDIENCE MEMBER: Okay.

MR. GINNIS: And we're going to do it through a workshop ....

AUDIENCE MEMBER: Well, I been put down for the record, too.

MR. GINNIS: Okay. Thank you. Okay. The motion is on the floor to defer, so all in favor of the motion, signify by saying aye.

ALL MEMBERS: Aye.

MR. GINNIS: Those opposed? Okay. Thank you. The motion carries. The next item is the time and place of the next meeting. Vince? Vince?

MR. MATHEWS: I know. I'm waiting for -- there's been a whole bunch of ideas floated around for the next meeting. You have had a pattern or somewhat of a pattern of meeting in rural locations and then also meeting in a hub like Fairbanks. I have heard different individuals suggest having the meeting maybe either in Tanana, Stevens Village, and if I've left someone else's out, I don't remember any other ones, but if there are, they can also surface. With the two topic items that you've just deferred, you may want to look at Fairbanks if we want to pull in other people to address traditional and environmental knowledge, but then, again, the source of that knowledge is in Stevens Village in the elders. So, that's something for you to weigh out. Or in Tanana.

MR. MAYO: Yeah, I -- that defeats the whole purpose of having this discussion in the first place, but you corrected yourself at the end, you know. The experts are out here, you know.

AUDIENCE MEMBER: Mr. Chairperson?

MR. GINNIS: So where would we -- I mean, the decision here is where we're going to have our next meeting and the ones that have been suggested is Tanana and Stevens Village.

AUDIENCE MEMBER: Mr. Chairperson?

MR. GINNIS: We're dealing with a ....

AUDIENCE MEMBER: Oh, okay.

MR. GINNIS: .... -- the next meeting place here.

MR. STARR: Well, I don't want to stick my neck out because I never did ask them if we can have the -- I don't know who brought -- who brought Tanana up, because I'd have to get with the council down there and ....

MR. MATHEWS: Mr. Chairman, the way we've done it in Western Interior is when a location is selected and it's not clear if the community has agreed to it, we -- myself and the chair, go to that community and meet with the tribal council and get their approval before we, you know, all land and decide to have a meeting in their community. So that is an option and I needed to explain that to all members, that when you select a community, we can go through that because it makes planning and everything just tremendously easy, especially in communities where we don't have council members, is to go ahead of time with the chair, lay out what we'd like to do and get the community's support before we come.

MR. MAYO: Mr. Chairman?

MR. GINNIS: Go ahead.

MR. MAYO: I'd like to entertain a motion to have the next Eastern Interior meeting next fall in Stevens Village.

MR. GINNIS: Okay. It's been moved. Is there a second?

MR. SAM: I second it.

MR. GINNIS: Seconded by Timothy. Is there any more discussion? Okay. If not, then all in favor of the motion, signify by saying aye.

ALL MEMBERS: Aye.

MR. GINNIS: Those opposed? Okay. The motion carries. The next part of this is the topics. I think we've already pretty much ....

MR. ROACH: You need the timing of your meeting. There's a block of time that we go through as well.

MR. GINNIS: Oh.

MR. ROACH: That's on the next page after the agenda.



MR. GINNIS: Okay. Sorry about that. Okay. So, we're talking about September or October.

MR. MATHEWS: September ....

MR. GINNIS: Wouldn't be a good time; that's hunting time.

MR. MATHEWS: I don't -- I apologize for the calendar, I don't -- the open window is September 8th through October 19th, but I don't think we'd be able to pull it off in September.

MR. MILLER: Well, I was just talking with Randy. He was suggesting the first week of October.

MR. MAYO: Yeah, not within that first week, but maybe -- because we're still moving around, you know.

MR. GINNIS: You're talking about the week of the 7th through the 11th, somewhere around in there?

MR. MAYO: Yes. Do you need specific dates?

MR. MATHEWS: No, it would be better for me if you did like you just did, a week, so we don't have an overlap like we did with Southcentral and others. So if you give me a week, then one of the councils can flex around on that and -- unless you have particular days of the week preference.

MR. MAYO: Well, how about just -- if it's all right with the rest of the council seated here, just tentatively the week of October 7th.

MR. MATHEWS: Sometime during that week, and I'll work with the chair, because I think what I'm hearing now is it's going to be a three-day meeting. That's three days and then travel added on to it is what I'm hearing now. At least two days, at least two full days.

MR. GINNIS: Oh, yeah, absolutely.

MR. MATHEWS: Okay.

MR. GINNIS: So, is there any question on that? We're talking about the week of the 7th through the 11th. Is there anything else you need on that? Do you want it in a motion or ....

MR. MATHEWS: No, that's fine to work out that and then we'll go through the same process with the draft agendas to approve and all that. I'm hoping to have a newsletter out before your next meeting and you will be getting updates on the board actions on proposals.

MR. GINNIS: Okay. So, how about the topics and the issues?

MR. MATHEWS: Mr. Chairman, that's there in case you have additional ones. You've already added guiding and traditional knowledge and co-management. I suppose the question boils down to are you comfortable with getting the draft agenda way ahead of time and then you say, well, I want to add this or subtract this. This is at this time to make sure you've got a chance to say something about the agenda.

MR. GINNIS: Oh, yeah, it's helpful if it goes in advance. But, you know, the other thing that's kind of confusing about this agenda is that it says "public comment period, public comment period" and so forth. Those that were actually wanting to do some testimony here, they were a little confused when we actually got to the consideration of these proposals. So if there's some way you can change that from ....

MR. MATHEWS: I'll try to work out some better wording. It's just to reflect ....

MR. GINNIS: Yes.

MR. MATHEWS: .... that when we go to communities that -- well, all communities where people have set hours of employment, they can't keep coming back to find out where you

are on a particular proposal; that they can come and comment, that's why it's there.

MR. GINNIS: Okay. But, anyway, so for now then if we have any other issues or subjects that we would like to get on the agenda, you'll get the agenda out and ....

MR. MATHEWS: Right.

MR. GINNIS: .... in advance, so you can make those.

MR. MATHEWS: Right. And that agenda is wide open when you get it, but even before that, if something comes up just give me a call on the 800 number saying we need to talk about this or that. That also is open to agencies and public and all that to do that. And then what happens with those is I go to the chair, I ask the chair about adding those items to the agenda, and most items are all approved by the chair.

MR. GINNIS: Okay. That -- are we done with that?

MR. MATHEWS: That's it.

MR. GINNIS: Now we're on with our closing remarks. Any council members would like to have any closing remarks? Yes, sir?

MR. ROACH: Mr. Chair, I would just like to say that this being my last regular meeting, I would like to thank all of you for the ability to work together, the ability to get to know each other, and I've enjoyed this time and I wish you luck in dealing with the things that come before you in the future. Thank you.

MR. GINNIS: Thank you, Jeff. I'd like to thank you for your time in serving on this. Although, I haven't worked with you as long as some of the other people that are here, I appreciate your input. Thank you.

MR. TITUS: Mr. Chair?

MR. GINNIS: Yes.

MR. TITUS: I also would like to say goodbye to all the council members. I had a good time working with you. Some things were awful difficult. We started out new; we didn't know what we were getting into when we first got here. And I don't think anybody, any one of the departments could say we didn't do anything or any -- tried doing something. At least we started and now we're three years down the road, much wiser in what we're doing. And I want to say to the board keep up the good work of this council, keep up the good work. And Jeff and I will sit back and think of you.

MR. GINNIS: Well, thank you for your time. You know, like I say, this is a learning process and, you know, it takes time to learn the ropes and once we learn them, watch out, folks. Okay. Is there any other comments?

MR. STARR: We'll be looking for their jobs, huh?

(General laughter.)

MR. GINNIS: Are there any other comments from the council members? Okay. If not, anybody from the audience?

MR. ALEXANDER: I guess I'm the only -- yeah, geez. Especially being a resident of Fort Yukon, I appreciate what's going on and since putting different agencies into this arena where they have to deal with subsistence issues, something that I know is not very easy, but it's something that they are trying to understand. And maybe in the future we might have a better understanding about what we're talking about. I don't know if that's real or not, but they do have a policy that they kind of work on and the laws that they refer to, and I think that they're stuck with those laws. I think we have to make an effort to change those laws if it doesn't reflect our way of life. And I think that we need to understand that what goes on, is that I keep hearing -- these documents here, if you read them, it gives you all the information that's there.

Anyway, just going back in time, years ago we were

harassed almost to death here, almost -- well, it was just a different form of -- I call it genocide. We were -- there was a law passed to pretty much eliminate Native Americans off the face of North America which is still pretty much stands in laws. And sometimes it seems like we're in the way, but that's not the intent. We are indigenous. We are the real people. And Gwich'in means indigenous for those of you that don't understand. Gwich'in actually means indigenous. So when I say (speaks Athabascan) Gwich'in, that's exactly what it means. There is (speaks Athabascan) Gwich'in, there's all kinds of Gwich'in. There's about 7,000 of us. But over the years, early years, when I was about 10 years old, the harassment that was taking place in the State of Alaska on the Native people was pretty extreme. They even take a measuring tape and measure from the beaver house out to how far the snares were, or the traps. Now the damn beavers are totally eliminating other species within our area and seem to -- can't get that through the heads of the federal agencies or state agencies.

When we have an impact from the beaver, the whitefish, the Northern pikes they're talking about, if there's no whitefish, there's no food for us. But those beavers are also ruining the habitat area of the moose by the beaver dams they're putting in and the water is going up in a lot of places where the bog is, so it's eliminating the habitat area. And yet when we come together hoping that the council or anybody that deals with fish and wildlife and birds, figuring that they might just sit down and leave the agenda off to the side for a minute and just talk about general things and see that they can reach consensus regarding different areas. But the reason I'm standing up is because I think I appreciate today the process that we go to make it possible for us to actually eliminate some of the impacts that's taking place on our land. We even changed hunting seasons. We've changed seasons to make sure that the impact is not too great. But yet when some -- like there's other factors that we can't deal with and that's like guiding service, the wanton waste and the co-management. All these are in the laws, all of them are -- the agencies have been directed to comply with different entities to see if these are true. But I just appreciate the fact that most years ago, we weren't able to speak to white man. White man doesn't speak to us. But now

we're talking to each other and yet sometimes we don't understand each other. I'd like to see that the day comes when we do understand each other.

The reason that I'm speaking the way I am is because of the feeling that's toward the federal government across the nation. I have that same feeling, also. Not that I'm aggressive or anything, but I think sometimes that the federal law was established for the general public and a lot of times that general public that it deals with might not have any input at all. And the reason a lot of these things that are happening to us is that I keep referring to the fact that for 30,000 years we have traditional boundaries that we know of and yet, today, it's all broken down into little pieces so that we only have a thumbprint on this part of the land. And you call it as being done by ANILCA, you say it's done by ANCSA. Well, I do not agree with ANCSA, I do not agree with ANILCA. It was a law that passed without any input from the villages in this part of the world. So, ANILCA, I don't want you to think that for one minute we agree with ANILCA, neither ANCSA, because the way it really is, the way that things are being taught here, is still customary and traditional ways. I just wanted to remind you of that. I know that we're only 150 -- or 20 minutes away. Lear jet lands here 15 minutes away. They're in big time. We're still on the land. Just think about it. America is going to hell now slowly because the rural communities are not being listened to across the nation. Until our communities are listened to across the nation, I don't care where you are, you're talking about general public. When you start listening to the general public and the rural communities across the nation, then you will have a better communities across the nation. And it starts here. It starts here and it goes back the other way. Ricochets back. What you see now is a reflection of the U.S. here. A reflection that definitely here and is taking its toll. Meaning taking its toll is taking it by health, education, any way, factors that you can think of, and yet we're trying to strive to maintain. Even though we don't understand a lot of times, we try to understand so that we can deal with these laws and be able to work hand-in-hand. A lot of times it seems like we're dealing with racism, prejudice, no jurisdiction at all, none whatsoever of anything. We're just



the hour of 8:30 a.m. at the Native Village Hall, Fort Yukon,  
Alaska;

THAT the transcript is a true and correct transcript  
requested to be transcribed and thereafter transcribed by me to  
the best of my knowledge and ability;

THAT I am not an employee, attorney, or party interested  
in any way in this action.

DATED at Fairbanks, Alaska, this 12th day of March,  
1996.

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Notary Public in and for Alaska  
My Commission Expires: 5/12/98

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